OFFICIAL REPORT
AITHISG OIFIGEIL

# Standards, Procedures and Public Appointments Committee

**Thursday 12 February 2026**

Session 6

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Pàrlamaid na h-Alba

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**STANDARDS, PROCEDURES AND PUBLIC APPOINTMENTS COMMITTEE**
**5th Meeting 2026, Session 6**

**CONVENER**

*Martin Whitfield (South Scotland) (Lab)

**DEPUTY CONVENER**

*Ruth Maguire (Cunninghame South) (SNP)

**COMMITTEE MEMBERS**

*Annie Wells (Glasgow) (Con)
*Emma Roddick (Highlands and Islands) (SNP)
*Sue Webber (Lothian) (Con)

*attended

**THE FOLLOWING ALSO PARTICIPATED:**

Graeme Dey (Minister for Parliamentary Business and Veterans)
Iain Hockenhull (Scottish Government)
Lorraine Walkinshaw (Scottish Government)

**CLERK TO THE COMMITTEE**

Catherine Fergusson

**LOCATION**

The David Livingstone Room (CR6)

# Scottish Parliament

## Standards, Procedures and Public Appointments Committee

*Thursday 12 February 2026*

*[The Convener opened the meeting at 09:00]*

## Decision on Taking Business in Private

**The Convener (Martin Whitfield):** Good morning. I welcome everyone to the fifth meeting in 2026 of the Standards, Procedures and Public Appointments Committee.

Under our first agenda item, I invite members of the committee to agree to consider items 5, 6, 7 and 8 in private. In order, those are consideration of a complaint in relation to a cross-party group; the report of the review of members of the Scottish Parliament complaints sanctions process; a draft report and draft changes to the code of conduct in respect of cross-party groups; and proposed changes to the Lobbying (Scotland) Act 2016.

I also invite members to agree to consider in private at future meetings draft standing orders changes in relation to elected conveners and other miscellaneous and minor standing orders changes.

Are members content to consider those items in private?

**Members** *indicated agreement*.

# Subordinate Legislation

### Absent Voting (Miscellaneous Amendment) (Scotland) Order 2026 [Draft]

### Absent Voting (Miscellaneous Amendment) (Scotland) Regulations 2026 [Draft]

09:01

**The Convener:** The second item on our agenda is consideration of two affirmative Scottish statutory instruments relating to access to the online absent voter application for voters in the Scottish parliamentary and local authority elections. We have an opportunity to take evidence from the Minister for Parliamentary Business and Veterans before we consider whether to recommend to the Parliament that the SSIs be approved.

I welcome to the meeting Graeme Dey, the Minister for Parliamentary Business and Veterans; Iain Hockenhull, the head of the elections team in the Scottish Government; and Lorraine Walkinshaw, a solicitor in the Scottish Government.

Before we turn to questions from members, do you wish to make any introductory comments, minister?

**The Minister for Parliamentary Business and Veterans (Graeme Dey):** Thank you for the invitation to attend the committee today.

Since 2023, voters in United Kingdom Parliament elections have been able to apply online for a postal or proxy vote, but a paper application was needed for Scottish Parliament and local government elections. The legislation before the committee today will permit access by voters in those elections to the UK Government's online absent voting application system from 3 November onwards. As well as extending the benefits of being able to apply online, it will end the divergence created by the Elections Act 2022. Voters will, once again, be able to make one application for an absent vote to cover all elections for which they are eligible. Some compromises have been required to achieve that goal. The new rules for postal and proxy vote applications will mean that voters will have to provide their national insurance number or another form of identification if they do not have that one. There will also be a move to a three-year cycle for reapplying for a continuing postal vote.

The legislation also sets out arrangements to manage the transition of existing records to the new system. The system can hold only one matching absent voting record for all elections in

which the person can vote. That will typically mean that voters will apply for one continuing absent vote—postal or proxy—for all elections. Because the system holds only one type of absent vote, provision is made to align the record when voters have different arrangements ahead of the go-live on 3 November. For example, if a voter has a Scottish Parliament postal vote ending in 2027 and a UK Parliament postal vote ending in 2028, the change will now see both records due to renew in 2028.

In a very small number of cases, voters will be contacted and invited to make a fresh application to align the records—for example, when they have a postal vote for one type of election and a proxy vote for another. If they do not respond, the UK Parliament record will prevail, as we do not have the power to amend that, and the voter will be informed that they will need to reapply for a devolved absent vote. For example, if a person holds a postal vote for UK Parliament elections and a proxy vote for Scottish Parliament elections and the voter takes no action, the proxy vote for Scottish Parliament elections will end on 3 November. The Electoral Commission is preparing guidance on the consequences of the records merging, and electoral registration officers will contact affected voters ahead of 3 November to inform them of their options.

The legislation is being prepared in close co-operation with the UK and Welsh Governments, and related statutory instruments are due to be laid before Westminster and the Senedd. The Electoral Commission and the electoral registration officers for Scotland and Wales have also been consulted, and work is on-going to ensure clear communication in the run-up to the 3 November go-live. Those changes are, self-evidently, expected to assist voters ahead of the 2027 local government elections.

I am happy to take any questions.

**The Convener:** I will kick off with a simple question. I hope that we all know the answer to it, but the answer needs to be known. This will in no way affect the election that is coming up in May, because it will all take place—go live, as you have described it—after the election, so voters need do nothing differently in the approach to the current election. Is that correct?

**Graeme Dey:** That is correct, and it is good to get that on the record.

**The Convener:** Excellent. Thank you.

We already have some experience of Scottish voters using OAVA, following the general election last year. Do you have any data or insights yet on how well that is working?

**Iain Hockenhull (Scottish Government):** There have been a few technical issues. I was at a meeting last week with electoral registration officers where they talked about some issues that they faced in uploading data. I am not sure whether the voter experience was tricky; it might just have been technical issues on the other side, once they got the information.

The initial indications are that quite a few people with a UK Parliament elections postal vote have opted not to renew on the system this year. They were due to renew by 31 January, and a reasonably substantial percentage—perhaps 20 per cent or slightly more—have not responded to that invitation, so those absent votes will fall off. That is a slightly higher percentage than expected, although it might be a feature of the pandemic, when people who would not normally want a postal vote chose to have one.

There is possibly a slightly wider issue. The system almost invites someone to get a continuing postal vote, even if they have just one election in mind. People end up with a continuing postal vote when they did not really want one, so they do not reapply. There are a few possible issues in there, but electoral registration officers are noticing a bit of a drop-off.

**The Convener:** I have a follow-on question. I am happy for you to answer, Iain, if you can. What is the process for a voter to come off a continuing postal vote—this is a difficult question—and how well understood is that process by the voter?

**Iain Hockenhull:** Prior to the divergence that occurred in 2023 following the implementation of the UK's Elections Act 2022, there was only one process for all absent votes in the UK. I suspect that that was not massively well understood, as it is a very dry subject. No doubt, it is less well understood now that we have two different processes, whereby you have to make two different applications if you want an absent vote for all elections. I hope that the move to this system will at least make it clearer, and, if you have a three-year lifespan for your absent vote, you will receive the usual notifications from the electoral registration officer, reminding you that you will have to make a new application once that time period runs out.

**The Convener:** In the future, the process of informing you that you will drop off will work as it always has done. There are examples where it has not worked, but there are far more examples of where it has worked.

**Iain Hockenhull:** It will again be for all elections, so you will not have a reminder one year for UK Parliament elections and another the next year for Scottish Parliament and local government elections. It was a major concern with part of this

process that people would get their reminder for UK Parliament elections this winter and think that that covered them for the Scottish Parliament election, when it did not.

**The Convener:** That is great.

**Graeme Dey:** You touched on something there, convener. It is my intention, if the Parliament approves the instruments, to write to the Electoral Commission to ask for assurance that the guidance that it is putting together will be comprehensive in dealing with matters such as those that you have highlighted and that it will be in plain English, because this committee has highlighted concerns about that. I will ask the Electoral Commission to share the draft guidance with my successor, and I am happy to ask it to share the draft guidance with your successor committee. We have a period of time in which to get the guidance right, and we should take this opportunity to ensure that concerns that have legitimately been raised by this committee and others about the nature of guidance are taken on board. Perhaps we can set a new path in that regard.

**The Convener:** I am very grateful for that offer. I do not want to burden our successor committee, but it is important that the draft guidance be shared.

That leads on to the issue of what consideration has been given to the possible additional resource implications for electoral registration officers as a result of the change.

**Graeme Dey:** I will bring in Iain on the detail, but I note that we are not talking about huge numbers of people. The costs to be shared between Scotland and Wales for becoming involved in the system are marginally over £2 million—about £1 million each. Obviously, that cost is being met. Perhaps Iain can outline the detail of the conversations that have been had with EROs.

**Iain Hockenhull:** We have had an initial discussion with EROs, but it was somewhat of a chicken-and-egg situation, with them asking how much we were offering and us asking how much they need. We will continue to scope that.

We are hopeful that there will not be too many direct interventions, partly because of the point that the minister made, which is that if someone has a UK postal vote that expires a good number of years ahead, that will now become the end date. That should be the case in a large number of cases, because this January was an artificial point for UK Parliament postal votes to be renewed, because of the transitional steps that the UK Government had taken. Almost all UK Parliament postal votes were due to be renewed this winter, so the postal votes of the 75 per cent of people who took that up—I acknowledge that not everyone did—will now last a good number of years ahead, and that will carry over to their Scottish Parliament postal votes. It should therefore be a very smooth process for those people. Intervention will be required only in trickier cases, when people have some other type of arrangement.

**The Convener:** The biggest challenge—I hope that even "challenge" is too strong a word—relates to the reach-out to those voters who are coming off the system, of whom there may be an increase in numbers. Are you satisfied that that is at the lower end, within the scope of expenditure, and that we will not have a problem with people coming back and saying, "We just don't have the resource to reach out to the X number of voters who have come off?"

**Iain Hockenhull:** I think so. We will need to have a discussion about that.

**The Convener:** That is helpful. Again, I do not wish to burden a future committee that will potentially sit in this room, but, if you see a challenge coming, it would be good to know that.

My final question relates to the fact that this is all online. What is the paper equivalent for those of our constituents who simply dislike using online methods, minister?

**Graeme Dey:** Do you want to come in on the detail, Iain?

**Iain Hockenhull:** In a slightly strange way, it will be online for everyone, but that does not affect the voter. If the voter wishes to apply by paper, they can do so as they always have done, and the electoral registration officer will input their details into the system. The user experience is whichever they prefer, and then it will be online at the ERO end.

**The Convener:** It is envisaged that a very similar form will be available for people to complete and post in, which will then be uploaded and dealt with electronically. The postal vote will also come out by post to them.

**Iain Hockenhull:** Yes.

**The Convener:** Excellent. Thank you.

**Ruth Maguire (Cunninghame South) (SNP):** Good morning, minister. In your remarks about the preparation of the guidance and your request that it come back to the committee, you confirmed that that will happen following the Scottish election, so it should not confuse matters for that election. In addition to the targeted communication to those who have existing absent voter arrangements, will there be a wider awareness-raising campaign?

**Graeme Dey:** Do you want to come in, Iain?

**Iain Hockenhull:** The Electoral Commission is looking at communications. We are discussing the matter with it and with the electoral registration officers. There will also be the annual canvas, which reminds everyone of their absent voting arrangements. That will tie in as well.

**Graeme Dey:** There is a good point in there about making people aware that this change is coming, but it is also important to understand that the numbers involved are not huge.

**Ruth Maguire:** Are electoral registration officers required to write to inform an elector about a mismatched record only once, or is there a requirement for a follow-up if no response is received?

**Iain Hockenhull:** I think that it varies depending on the type of clash. Lorraine Walkinshaw is well versed in that.

**Lorraine Walkinshaw (Scottish Government):** They are required to notify them that there is a mismatch once, although they could do it more than that. I think that it depends on when the mismatch occurs—for example, they might do so if somebody applies close to the go-live date. There is no particular requirement for them to write once, twice or three times. That would be at the discretion of the ERO. However, if the mismatch is not resolved by the go-live date, they will have to notify them of that again and invite them to apply afresh.

**The Convener:** In essence, you envisage the mismatch being resolved around about, or soon after, the go-live date rather than appearing the next year or the year after—is that right?

**Lorraine Walkinshaw:** I missed that—I am sorry.

**The Convener:** You envisage that the mismatches will be identified around the go-live date, rather than their being noticed, say, the next year or two years down the line.

**Lorraine Walkinshaw:** There needs to be one record at the go-live date, so any discrepancy has to be identified prior to the go-live date, and then the EROs need to write out to people. It all needs to be sorted before the go-live date.

**The Convener:** In the write-out, will they explain the consequences of the mismatch? In my understanding, the later date will be the date that is used unless—and one hopes that this would relate to only a small subset—there is a clash in the request. As you said, it depends on what the mismatch is.

**Lorraine Walkinshaw:** In respect of any sort of data discrepancy between the votes, the regulations require the EROs to explain the mismatch and the consequences of not resolving it.

09:15

**Graeme Dey:** It might be helpful to offer some numbers, convener. The precise number of people who will be affected by convergence issues is understood to be quite small. As the committee will appreciate, we do not have a precise number. However, to give a sense of the situation, the January data provided by Idox—which is one of the two electoral management system providers in Scotland, and by far the largest—indicates that there are 140 voters with different named proxies for reserved and devolved elections and 227 voters who have provided different addresses. We are therefore talking about a few hundred people, but it is nonetheless right to make the point.

I will take away Ruth Maguire's point and will discuss how we can ensure that there are repeated attempts to capture everyone.

**The Convener:** Thank you for that.

**Emma Roddick (Highlands and Islands) (SNP):** Good morning, minister. The UK Government intends to reduce the voting age to allow 16 and 17-year-olds to vote in the next UK general election. If a 16 or 17-year-old already had absent voting arrangements in place for the Scottish elections after 3 November this year, would that be adopted for a future UK election, or would a further application be required?

**The Convener:** Iain? [*Laughter.*]

**Iain Hockenhull:** Yes. I think that the system would be set up so that they would transition if they were eligible. Not all 16 and 17-year-olds who can vote in Scottish Parliament elections would be able to vote in UK Parliament elections, because we have a wider franchise for foreign nationals and for some prisoners. However, yes, that will be taken into account.

**Emma Roddick:** Some young people aged 14 and 15 are able to go on the electoral register as attainers, if they are expected to reach the age of 16 before the next scheduled Scottish election. What arrangements are in place for attainers? They may not have a national insurance number with which to register on OAVA.

**Iain Hockenhull:** There is a set of alternative forms of ID, which starts with things such as passports—I suppose that driving licences would not be relevant—and continues on to things such as bank statements. A person might need to have multiple forms of that sort of ID—they might need three or four things, such as a utility bill or so on. However, there are varying forms.

**Graeme Dey:** Some of those would be difficult for people of that age group to have. There are also other things, such as birth certificates, and, ultimately, they can have an attestation.

**The Convener:** Could they use the Young Scot card/bus pass?

**Iain Hockenhull:** No.

**The Convener:** That is a disappointment. It is a challenge. The incredible and vast majority of 14 and 15-year-olds are obviously in the education system such that, ironically, with a different hat on, most of the returning officers would have access to the data and confirmation of all that is needed. However, we will leave that there.

**Annie Wells (Glasgow) (Con):** Good morning, minister. In a response to one of the convener's questions earlier, you spoke about the anticipated cost being just over £1 million. Do you envisage that changing at all? If so, what would you expect it to change because of?

**Graeme Dey:** Much of that will be start-up cost. Once the system is up and running, I do not see why it would increase markedly. Fundamentally, it is the start-up costs of getting into the system that are accounted for—both for us and for Wales.

**Iain Hockenhull:** We had actually been preparing for it to go live in December. Ultimately, the decision was taken that it was too rushed. On that basis, the development work has been done, so we do not anticipate there being any more development work as such. It is more the other parts of the process that have led to the November date rather than the system development costs—which is where most of the £1 million is from.

**Annie Wells:** That was the only question that I had, convener.

**Sue Webber (Lothian) (Con):** As a postal voter who does not notice the difference when I get requests through for either election, I suspect that this will be a lot smoother than we are giving it credit for.

What assurances can you give that the transition will be smooth and that, given everything that is going on, Scottish voters will have their preferred absent voter arrangements in place should an unscheduled election be called?

**Graeme Dey:** Thank you for that cheery thought. The assurance that I can offer is of the time that is being permitted to get to the go-live date. I remember being in front of the committee a few months ago, when the talk was of going live as soon as possible after the Scottish Parliament election. We and our Welsh colleagues have been persuaded that we should afford a greater period of time, to ensure that the teething issues that Iain Hockenhull identified are dealt with completely and that the guidance that we talked about is provided in the form that we would all want it to be in. By allowing that period, we are erring on the side of caution to ensure that we have got it right. That is the assurance.

I will have no influence over whether there is an unanticipated election—I will not be involved in it. A lot of work has gone in to make sure that we get it right, and, as I said, the co-operation on it with the UK Government and the Welsh Government has been first class.

**Sue Webber:** That is great. The voter experience will be smooth and seamless.

**Graeme Dey:** You and I are both postal voters, but it is a system that can create anxiety for some people, who get flustered by the processes that they have to go through. Anything that can be done—in this context and moving forward—to make it easier to access that system would be all to the good.

**Sue Webber:** Thank you, minister.

**The Convener:** Sadly, it is not unknown for postal voters to return their votes to themselves by putting them in the envelope the wrong way—he says from bitter experience.

Is there anything else that you wish to add, minister, before we move to the next part?

**Graeme Dey:** No.

**The Convener:** The next item on the agenda is a debate on motion S6M-20589. As members will be aware, only the minister and members can speak during the debate on the motion. I invite the minister to move the motion.

*Motion moved,*

That the Standards, Procedures and Public Appointments Committee recommends that the Absent Voting (Miscellaneous Amendment) (Scotland) Order 2026 [draft] be approved.—[*Graeme Dey*]

*Motion agreed to.*

**The Convener:** The next item on the agenda is a debate on motion S6M-20590. As members are aware, only the minister and members can speak during the debate on the motion. I invite the minister to move the motion.

*Motion moved,*

That the Standards, Procedures and Public Appointments Committee recommends that the Absent Voting (Miscellaneous Amendment) (Scotland) Regulations 2026 [draft] be approved.—[*Graeme Dey*]

*Motion agreed to.*

That the Standards, Procedures and Public Appointments Committee recommends that the Absent Voting (Miscellaneous Amendment) (Scotland) Regulations 2026 [draft] be approved.

**The Convener:** Do members agree to delegate to me responsibility for finalising our draft report on those SSIs?

**Members** *indicated agreement*.

**The Convener:** I thank the minister and those supporting him for attending.

09:23

*Meeting continued in private until 09:54.*

This is the final edition of the Official Report of this meeting. It is part of the Scottish Parliament Official Report archive and has been sent for legal deposit.

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