

Martin Whitfield MSP  
Convener  
Standards, Procedures and Public Appointments Committee  
The Scottish Parliament  
Edinburgh  
EH1 1SP

Cc: Bob Doris MSP

06 June 2024

Dear Martin

### **Proposed duty on the Electoral Commission for public awareness**

I am writing regarding your evidence session on 2 May with the then Elections Minister, George Adam, on the Scottish Elections (Representation and Reform) Bill. During this meeting Bob Doris MSP proposed a new duty for the Electoral Commission to undertake year-round public awareness on elections in communities across Scotland.

The Electoral Commission currently has a duty to undertake public awareness on electoral systems in the UK. This is set out in the Political Parties, Elections and Referendums Act 2000 (PPERA), and the Commission undertakes significant work to meet this responsibility. But importantly, the duty leaves the Commission discretion around how we undertake these activities. This is fundamental to ensuring that we are able to do this work in the right way to achieve the desired objectives, responding to insights about the most effective way to change behaviour in the desired audience and ensuring value for money.

For example, our large scale awareness campaigns are scheduled in the run up to elections as we know that is when we will get the greatest return for the significant costs which are expended on advertising, as voters are primed to engage with our advertising at that point in time. These campaigns provide voters with the specific information that they need at the point where it is most useful to them. We support this work by providing resources to Returning Officers and Electoral Registration Officers, who also have a duty to promote awareness in election periods, so that they can be targeted at the areas of most need in their local areas using the most effective local channels.

We are concerned that placing a new duty on us to undertake year-round activity – going beyond stating *what* we should do to specify *how* we should do it – would restrict our ability to be led by the evidence and by user testing, and would risk value for money in this work

by requiring us to carry out activity which we know to be less effective outside of election periods.

Where the evidence indicates it can work, we do already undertake public awareness work outside election periods. This includes our education programme working with schools, teachers, youth workers and community education workers across the UK. We also work with partner organisations representing those with additional barriers to participating in our democracy to co-create resources which can be used with their audiences. This sits alongside our public information provision through our digital channels, our website and our public information service including telephone support.

We would be happy to meet with your and with Bob Doris to discuss our concerns further if you thought this would be helpful.

Yours sincerely

A handwritten signature in black ink that reads "A & O'Neill". The signature is written in a cursive style and is enclosed within a thin black rectangular border.

Andy O'Neill  
Head of Electoral Commission, Scotland