

**From:** Redacted S38(1)(b)

**Sent:** 10 January 2024 13:50

**To:** Redacted S38(1)(b); Nick Ford <Nick.Ford@gov.scot>

**Cc:** Redacted S38(1)(b) Luke Mcbratney <Luke.Mcbratney@gov.scot>; Joe Griffin <Joe.Griffin@gov.scot>; Dominic Munro <Dominic.Munro@gov.scot>; Graeme Cook <Graeme.Cook@gov.scot>

**Subject:** 1 Fujitsu eCounting contract - lines to take and background

Hi Nick and Redacted S38(1)(b)

Further to our Teams chat, Redacted S38(1)(b) and I have prepared the attached lines to take and background for inclusion in the submission. If you need anything else or would like more detail, please let us know.

Very happy to discuss.

Redacted S38(1)(b)



# Electronic Counting Contract with Fujitsu Services Limited

## Top Lines

- A contract was awarded to Fujitsu Services Limited in October 2020 to deliver electronic vote counting for the Scottish local government elections held on 5<sup>th</sup> May 2022, following an open competition.
- The electronic counting of all votes cast at the local government elections took place successfully and as scheduled on 6<sup>th</sup> May 2022.
- The software that handles the processing and counting of votes is provided by Idox Limited, who are a sub-contractor of Fujitsu.
- Fujitsu provided the IT infrastructure and equipment required to operate the Idox software, along with Project Management and logistical services.
- The contract can be used by Councils until January 2027 to provide electronic vote counting services for local government by-elections.
- An open competition to invite tenders for the provision of electronic vote counting services for the 2027 local government elections and subsequent by-elections will take place in 2024/2025.

## Background

1. Votes cast at Scottish Local Government elections have been electronically counted since the Single Transferable Vote (STV) system of proportional representation was introduced in 2007.
2. Following open competitions, the 2012 and 2017 electronic vote counting contracts were awarded to CGI and the 2022 contract was awarded to Fujitsu.
3. The contract covers a range of services. While Fujitsu are the prime contractor, the contract includes sub-contractors.
4. The key sub-contractor is Idox, whose Elections Services business provide specialist software for managing various aspects of elections, including electronic vote counting. Idox has been the software supplier since 2012, sub-contracting to both CGI and Fujitsu .
5. In addition to rigorous client (SG) and user testing as part of the delivery Project, the software has been independently tested to ensure it correctly calculates elections results in accordance with the STV method defined in legislation.
6. For the 2022 elections, Fujitsu set-up 32 separate local area networks, one for each Council. The operation of each counting centre was undertaken by Council staff and the delivery of each count was the responsibility of the relevant Returning Officer.
7. The contract with Fujitsu remains in place to enable by-elections to be electronically counted. This operates on a call-off basis whereby Councils can

choose to buy eCounting services if they wish. The Scottish Government has an ongoing monitoring role in this.

**From: Redacted S38(1)(b)**

**Sent:** 11 January 2024 18:15

**To:** Luke Mcbratney <Luke.Mcbratney@gov.scot>

**Cc: Redacted S38(1)(b)**

**Subject:** 2 Written PQs on Fujitsu eCounting contract

Hi Luke

**Redacted S38(1)(b)** and I have agreed the proposed contribution below to one of the 2 PQs procurement are leading on (S6W-24358). Any comments?

The other one (S6W-24359) is a simple question about what contracts SG has with Fujitsu. Procurement have already drafted a response, which we are happy with, although I have commented that the contract value was, we believe, changed in late 2022 when the by-election variation was agreed. **Redacted S38(1)(b)** and I think it is for Procurement to take a view on which figure is the most appropriate one to use for the purposes of the PQ and indeed for any other lines given out. I have attached the suggested answer and background note for that one.

There is also an FoI on the same topic and we will deal with that once the contract value figure to give out is agreed.

I am not around tomorrow and Monday so **Redacted S38(1)(b)** will respond to Procurement when you have cleared these.

Many thanks

**Redacted S38(1)(b)**

**S6W-24358 Paul Sweeney:** To ask the Scottish Government, in light of the reported scandal regarding the Post Office accounting software, Horizon, whether it will review any existing contracts that it has with Fujitsu, formerly ICL, with strict testing criteria enforced and independent experts reviewing internal testing processes.

“The Scottish Government has a contract for the provision of an electronic vote counting solution between the Scottish Ministers and Fujitsu Limited dated 16/10/2020. This contract delivered electronic vote counting services for the Scottish local government elections held on 5th May 2022. The software used for electronic vote counting is specialist elections software provided by a separate elections company, as a sub-contractor to Fujitsu. The electronic counting solution was tested rigorously, independently assessed as secure and suitable, and successfully delivered the national Local Government elections in May 2022. The contract also covers electronic vote counting services for local government by-elections held up to 31 January 2027. The solution remains in live operation for by-elections and there are no proposals for further testing.”

**Background Note**

1. Votes cast at Scottish Local Government elections have been electronically counted since the Single Transferable Vote (STV) system of proportional representation was introduced in 2007.
2. Following open competitions, the 2012 and 2017 electronic vote counting contracts were awarded to CGI and the 2022 contract was awarded to Fujitsu.
3. The electronic counting contract covers a range of services. While Fujitsu are currently the prime contractor, the contract includes sub-contractors. The key sub-contractor is Idox, whose Elections Services business provides specialist software for managing various aspects of elections, including electronic vote counting. Idox has been the software supplier since 2012, sub-contracting to both CGI and Fujitsu.
4. In addition to rigorous client (SG) and user testing (local government) as part of the delivery Project, the software has been independently tested to ensure it correctly calculates elections results in accordance with the STV method defined in legislation.
5. For the 2022 elections, Fujitsu set-up 32 separate local area networks, one for each Council. The operation of each counting centre was undertaken by Council staff and the delivery of each count was the responsibility of the relevant Returning Officer.
6. The contract with Fujitsu remains in place to enable by-elections to be electronically counted. This operates on a call-off basis whereby Councils can choose to buy eCounting services if they wish. The Scottish Government has an ongoing monitoring – but no funding – role in this.

**Redacted S38(1)(b)**

## **BACKGROUND NOTE FOR S6W-24359**

**Paul Sweeney (Scottish Labour) MSP for Glasgow (Region) 2021 – present day.**

*To ask the Scottish Government what contracts it currently has with Fujitsu.*

The Scottish Government has one contract with Fujitsu (Case 440206 Electronic Counting for Local Government Elections) to deliver electronic vote counting for Scottish local government elections.

This information is obtained from a Public Contracts Scotland report on contracts awarded to Fujitsu by the Scottish Government during the period January 2019 to present day.

All buyers have a responsibility to ensure that a contract award notice is published via Public Contracts Scotland and on the Contract Register.

The exception to this rule is:

Where the total contract value is less than £5,000 or where the contract meets the criteria under The Public Contracts (Scotland) Regulations 2015 Part 2, Section 5, 51 (6) which is:

A contracting authority may withhold from publication information on the contract award or the conclusion of the framework agreement where the release of the information—

- (a) would impede law enforcement or otherwise be contrary to the public interest;
- (b) would prejudice the commercial interests of any person; or
- (c) might prejudice fair competition between economic operators.

Therefore, it should be noted that it is unlikely that all of the Scottish Government's contract awards are recorded on the Contract Register; however, this is the most authoritative record that exists.

### **Case 440206 Electronic Counting for Local Government Elections; Procurement and Contract Information.**

A contract was awarded to Fujitsu Services Limited in October 2020 to deliver electronic vote counting for the Scottish local government elections held on 5<sup>th</sup> May 2022, following an open competition. The value of the contract as per the Contract Award Notice is £6,345,172.

The electronic counting of all votes cast at the local government elections took place successfully and as scheduled on 6<sup>th</sup> May 2022.

The contract can be used by Councils until January 2027 to provide electronic vote counting services for local government by-elections.

The software that handles the processing and counting of votes is provided by a separate specialist election services provider, as a sub-contractor of Fujitsu.

Fujitsu provided the IT infrastructure and equipment required to operate the specialist software, along with Project Management and logistical services.

A procurement competition to invite tenders for the provision of electronic vote counting services for the 2027 local government elections and subsequent by-elections will take place in 2024/2025.

Contact Name: **Redacted (S38 (1) (b))**

Email: **Redacted (S38 (1) (b))**

**From:** Redacted S38(1)(b)

**Sent:** 10 January 2024 15:15

**To:** Graeme Cook <Graeme.Cook@gov.scot>; Nick Ford <Nick.Ford@gov.scot> **Redacted S38(1)(b)**

**Cc:** Redacted S38(1)(b) Luke Mcbratney <Luke.Mcbratney@gov.scot>; Dominic Munro <Dominic.Munro@gov.scot>; DG Strategy and External Affairs <DGSEA@gov.scot>

**Subject:** RE: I: Fujitsu eCounting contract - lines to take and background

Hi Graeme

I can confirm there is no ongoing payment to Fujitsu from SG in relation to by-elections. We did make a small one-off payment last year (£7,136) to enable a third set of by-election equipment to be set-up and tested. We are not expecting to make any further payments, so the income for Fujitsu (and Idox) from the contract is solely based on Councils asking them to supply by-election services.

There have been 10 by-elections delivered so far between November 2022 and now, with a further 2 due very shortly. These are done using a call-off agency agreement. The terms of the revised contract for by-elections includes areas where prices are fixed (core services) and some variable pricing (such as equipment delivery costs). Councils have paid a total of £254,358 so far for these services. It is worth noting that a significant proportion of the costs are for the printing and distribution of ballot papers and for Idox election services.

The existing by-election contract with Fujitsu ends on January 2026. For the 2027 elections, a fresh open procurement will be held. The RPA for that was submitted just before Christmas in fact!

Hope this is helpful?

**Redacted S38(1)(b)**



**From:** Graeme Cook <[Graeme.Cook@gov.scot](mailto:Graeme.Cook@gov.scot)>

**Sent:** 10 January 2024 14:56

**To:** Redacted S38(1)(b) Nick Ford <[Nick.Ford@gov.scot](mailto:Nick.Ford@gov.scot)>

**Cc:** Redacted S38(1)(b) Luke Mcbratney <[Luke.Mcbratney@gov.scot](mailto:Luke.Mcbratney@gov.scot)>; Dominic Munro <[Dominic.Munro@gov.scot](mailto:Dominic.Munro@gov.scot)>; DG Strategy and External Affairs <[DGSEA@gov.scot](mailto:DGSEA@gov.scot)>

**Subject:** 3 Fujitsu eCounting contract - lines to take and background

Thanks **Redacted S38(1)(b)**

A quick query – in order to support/allow by-elections, is there any regular payment to Fujitsu from SG or does all the money come from the LA's accounts?



Also, do you expect the Fujitsu contract to be a feature of the next Scotland-wide Local Government elections?

Graeme

**From: Redacted S38(1)(b)**

**Sent:** 10 January 2024 13:56

**To: Redacted S38(1)(b)** Nick Ford <[Nick.Ford@gov.scot](mailto:Nick.Ford@gov.scot)>

**Cc: Redacted S38(1)(b)** Luke Mcbratney <[Luke.Mcbratney@gov.scot](mailto:Luke.Mcbratney@gov.scot)>; Dominic Munro <[Dominic.Munro@gov.scot](mailto:Dominic.Munro@gov.scot)>; Graeme Cook <[Graeme.Cook@gov.scot](mailto:Graeme.Cook@gov.scot)>; DG Strategy and External Affairs <[DGSEA@gov.scot](mailto:DGSEA@gov.scot)>

**Subject:** RE: I: Fujitsu eCounting contract - lines to take and background

Apologies, resending to correct email recipient list – please reply to this version!

Thanks

**Redacted S38(1)(b)**



**From: Redacted S38(1)(b)**

**Sent:** 10 January 2024 13:50

**To: Redacted S38(1)(b)** Nick Ford <[Nick.Ford@gov.scot](mailto:Nick.Ford@gov.scot)>

**Cc: Redacted S38(1)(b)** Luke Mcbratney <[Luke.Mcbratney@gov.scot](mailto:Luke.Mcbratney@gov.scot)>; Dominic Munro <[Dominic.Munro@gov.scot](mailto:Dominic.Munro@gov.scot)>; Graeme Cook <[Graeme.Cook@gov.scot](mailto:Graeme.Cook@gov.scot)>

**Subject:** I: Fujitsu eCounting contract - lines to take and background

Hi Nick and **Redacted S38(1)(b)**

Further to our Teams chat, **Redacted S38(1)(b)** and I have prepared the attached lines to take and background for inclusion in the submission. If you need anything else or would like more detail, please let us know.

Very happy to discuss.

**Redacted S38(1)(b)**



**From:** Redacted S38(1)(b)  
**Sent:** 10 January 2024 18:19  
**To:** Redacted S38(1)(b)  
**Subject:** 4 PQ - S6W-24358 & S6W-24359 - Due 16th Jan

Hi **Redacted S38(1)(b)** – in relation to the FoI request, I have been asked for the total value of the contract we have with Fujitsu. While we have some correspondence on this question at the time the contract change in 2022 was being discussed we do not seem to have a record of what value was ultimately put in for procurement regs purposes. Do you have that?

Thanks  
**Redacted S38(1)(b)**



**From:** Redacted S38(1)(b)  
**Sent:** 10 January 2024 18:03  
**To:** Graeme Cook <[Graeme.Cook@gov.scot](mailto:Graeme.Cook@gov.scot)>; **Redacted S38(1)(b)**  
**Cc:** SPPD Business Management Mailbox <[SPCDBusinessManagement@gov.scot](mailto:SPCDBusinessManagement@gov.scot)>; Luke Mcbratney <[Luke.Mcbratney@gov.scot](mailto:Luke.Mcbratney@gov.scot)>; Dominic Munro <[Dominic.Munro@gov.scot](mailto:Dominic.Munro@gov.scot)>; Nick Ford <[Nick.Ford@gov.scot](mailto:Nick.Ford@gov.scot)>; Calum Elliot <[Calum.Elliot@gov.scot](mailto:Calum.Elliot@gov.scot)>; Nikki Archer <[Nikki.Archer@gov.scot](mailto:Nikki.Archer@gov.scot)>; **Redacted S38(1)(b)**  
**Subject:** RE: PQ - S6W-24358 & S6W-24359 - Due 16th Jan

For whoever is holding the pen on the PQ's we already have the data on the contracts that have been awarded to Fujitsu (2013 to present date), so let me know if this is required and I will send on.

Cheers

**Redacted S38(1)(b)**  
My working week is Monday to Thursday

**From:** Graeme Cook <[Graeme.Cook@gov.scot](mailto:Graeme.Cook@gov.scot)>  
**Sent:** Wednesday, January 10, 2024 3:30 PM  
**To:** Redacted S38(1)(b)  
**Cc:** SPPD Business Management Mailbox <[SPCDBusinessManagement@gov.scot](mailto:SPCDBusinessManagement@gov.scot)>; Luke Mcbratney <[Luke.Mcbratney@gov.scot](mailto:Luke.Mcbratney@gov.scot)>; Dominic Munro <[Dominic.Munro@gov.scot](mailto:Dominic.Munro@gov.scot)>; Nick Ford <[Nick.Ford@gov.scot](mailto:Nick.Ford@gov.scot)>; Calum Elliot <[Calum.Elliot@gov.scot](mailto:Calum.Elliot@gov.scot)>; Nikki Archer <[Nikki.Archer@gov.scot](mailto:Nikki.Archer@gov.scot)>; **Redacted S38(1)(b)**  
**Subject:** RE: PQ - S6W-24358 & S6W-24359 - Due 16th Jan

Hi **Redacted S38(1)(b)**,

CC list for awareness

Can your team work with **Redacted S38(1)(b)** on coordinating these and similar requests please, with me and **Redacted S38(1)(b)** clearing final text (or someone else **Redacted S38(1)(b)** nominates).

**For all to note** - this doesn't mean **Redacted S38(1)(b)**'s team holding the pen on everything, just that we're going to make sure queries/Fols/etc are allocated to appropriate action officers, and that Liz and I get the chance to ensure consistency.

Graeme

**From:** **Redacted S38(1)(b)** On Behalf Of ET FMQ/PQ Mailbox  
**Sent:** 10 January 2024 15:06  
**To:** **Redacted S38(1)(b)**  
**Cc:** **Redacted S38(1)(b)** SPPD Business Management Mailbox  
<[SPCDBusinessManagement@gov.scot](mailto:SPCDBusinessManagement@gov.scot)>; Graeme Cook <[Graeme.Cook@gov.scot](mailto:Graeme.Cook@gov.scot)>  
**Subject:** RE: PQ - S6W-24358 & S6W-24359 - Due 16th Jan

Hello Procurement colleagues

We have received the below PQs. Would these sit with your area at all and might we be able to allocate to someone in your team(s) ? If not for you, please can you copy in relevant colleagues.

**S6W-24358 Paul Sweeney:** To ask the Scottish Government, in light of the reported scandal regarding the Post Office accounting software, Horizon, whether it will review any existing contracts that it has with Fujitsu, formerly ICL, with strict testing criteria enforced and independent experts reviewing internal testing processes.

**S6W-24359 Paul Sweeney:** To ask the Scottish Government what contracts it currently has with Fujitsu.

**Redacted S38(1)(b)** – thank you for your help.

Many thanks

**Redacted S38(1)(b)**



You can find more detailed information on answering PQs here [Answering Parliamentary Questions \(PQs\)](#)

You can also [download the PQs desk aid to print out and keep](#). It summarises the process and important timings to remember for delivering PQs each week.

If you or anyone in your team require any training/awareness in PQs please get in touch

**From:** **Redacted S38(1)(b)**

**Sent:** Wednesday, January 10, 2024 11:18 AM

**To:** ET FMQ/PQ Mailbox <[ETFMQPQ@gov.scot](mailto:ETFMQPQ@gov.scot)>; SPPD Business Management Mailbox <[SPCDBusinessManagement@gov.scot](mailto:SPCDBusinessManagement@gov.scot)>; Graeme Cook <[Graeme.Cook@gov.scot](mailto:Graeme.Cook@gov.scot)>

**Cc:** Redacted S38(1)(b)

**Subject:** RE: PQ - S6W-24358 & S6W-24359 - Due 16th Jan

Hi Redacted S38(1)(b),

We were aware of the PQ ending 58 – attached is the response to Redacted S38(1)(b) where we reject the case. Think with this in mind that the PQ ending 59 would also sit best with procurement colleagues rather than Criminal Justice as although the context is the Horizon scandal the questions themselves are about procuring contracts with Fujitsu, which goes beyond our remit.

Thanks,

Redacted S38(1)(b)

**From:** Redacted S38(1)(b) On Behalf Of ET FMQ/PQ Mailbox

**Sent:** Wednesday, January 10, 2024 11:03 AM

**To:** SPPD Business Management Mailbox <[SPCDBusinessManagement@gov.scot](mailto:SPCDBusinessManagement@gov.scot)>; Graeme Cook <[Graeme.Cook@gov.scot](mailto:Graeme.Cook@gov.scot)>

**Cc:** ET FMQ/PQ Mailbox <[ETFMQPQ@gov.scot](mailto:ETFMQPQ@gov.scot)>; Redacted S38(1)(b)

**Subject:** RE: PQ - S6W-24358 & S6W-24359 - Due 16th Jan

Hi all,

Hope you're well, please see the below email chain.

Would you be able have a look over the two PQs below and let us know if they would sit with your area?

**S6W-24358 Paul Sweeney:** To ask the Scottish Government, in light of the reported scandal regarding the Post Office accounting software, Horizon, whether it will review any existing contracts that it has with Fujitsu, formerly ICL, with strict testing criteria enforced and independent experts reviewing internal testing processes.

**S6W-24359 Paul Sweeney:** To ask the Scottish Government what contracts it currently has with Fujitsu.

Many thanks

Redacted S38(1)(b)

🌱 Before you print think about the ENVIRONMENT



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**From: Redacted S38(1)(b)**

**Sent:** Wednesday, January 10, 2024 10:34 AM

**To:** ET FMQ/PQ Mailbox <[ETFMQPQ@gov.scot](mailto:ETFMQPQ@gov.scot)>; **Redacted S38(1)(b)**

**Subject:** RE: PQ - S6W-24358 - Due 16th Jan

Hi **Redacted S38(1)(b)**

I think this would be for someone in Procurement policy to lead on as it is not about miscarriages of justice policy or the Horizon scandal as such, but about contracts that the SG has with Fujitsu (if any) which could cover a whole range of different areas. Certainly Criminal Justice Division doesn't itself have any contracts with Fujitsu

Thanks

**Redacted S38(1)(b)**

**From: Redacted S38(1)(b) On Behalf Of** ET FMQ/PQ Mailbox

**Sent:** 10 January 2024 10:19

**To:** Patrick Down <[Patrick.Down@gov.scot](mailto:Patrick.Down@gov.scot)>; Philip Lamont <[Philip.Lamont@gov.scot](mailto:Philip.Lamont@gov.scot)>; Ronnie Fraser <[Ronnie.Fraser@gov.scot](mailto:Ronnie.Fraser@gov.scot)>; Ellis Reilly <[Ellis.Reilly@gov.scot](mailto:Ellis.Reilly@gov.scot)>

**Cc:** ET FMQ/PQ Mailbox <[ETFMQPQ@gov.scot](mailto:ETFMQPQ@gov.scot)>

**Subject:** PQ - S6W-24358 - Due 16th Jan

Hello

I would appreciate it if you could take a look at the below PQ and let me know if this is for your area.

**S6W-24358 Paul Sweeney:** To ask the Scottish Government, in light of the reported scandal regarding the Post Office accounting software, Horizon, whether it will review any existing contracts that it has with Fujitsu, formerly ICL, with strict testing criteria enforced and independent experts reviewing internal testing processes.

**S6W-24359 Paul Sweeney:** To ask the Scottish Government what contracts it currently has with Fujitsu.

**PQ deadline is – 16/01/2024**

If not your area, grateful if you could let me know why and point me in the right direction of who you think may be able to lead.

Thank you in advance

**Redacted S38(1)(b)**

**From:** Redacted S38(1)(b)

**Sent:** 10 January 2024 15:59

**To:** Graeme Cook <Graeme.Cook@gov.scot>; Redacted S38(1)(b)

**Cc:** Luke Mcbratney <Luke.Mcbratney@gov.scot>; Redacted S38(1)(b)

**Subject:** 5 PQ - S6W-24358 & S6W-24359 - Due 16th Jan

Thanks Graeme

**Redacted S38(1)(b)** – I will draft a contribution to these, clear with colleagues here and then run by you if that is OK?

Cheers

**Redacted S38(1)(b)**



**From:** Graeme Cook <[Graeme.Cook@gov.scot](mailto:Graeme.Cook@gov.scot)>

**Sent:** 10 January 2024 15:30

**To:** Redacted S38(1)(b)

**Cc:** SPPD Business Management Mailbox <[SPCDBusinessManagement@gov.scot](mailto:SPCDBusinessManagement@gov.scot)>; Luke Mcbratney <[Luke.Mcbratney@gov.scot](mailto:Luke.Mcbratney@gov.scot)>; Dominic Munro <[Dominic.Munro@gov.scot](mailto:Dominic.Munro@gov.scot)>; Nick Ford <[Nick.Ford@gov.scot](mailto:Nick.Ford@gov.scot)> Calum Elliot <[Calum.Elliot@gov.scot](mailto:Calum.Elliot@gov.scot)>; Nikki Archer <[Nikki.Archer@gov.scot](mailto:Nikki.Archer@gov.scot)>

**Redacted S38(1)(b)**

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CC list for awareness

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Graeme

**From:** Redacted S38(1)(b) On Behalf Of ET FMQ/PQ Mailbox

**Sent:** 10 January 2024 15:06

**To:** Redacted S38(1)(b)

**Cc:** Redacted S38(1)(b) SPPD Business Management Mailbox

<[SPCDBusinessManagement@gov.scot](mailto:SPCDBusinessManagement@gov.scot)>; Graeme Cook <[Graeme.Cook@gov.scot](mailto:Graeme.Cook@gov.scot)>

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**Cc: Redacted S38(1)(b)**

**Subject:** RE: PQ - S6W-24358 & S6W-24359 - Due 16th Jan

Hi **Redacted S38(1)(b)**,

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**To: Redacted S38(1)(b) Subject:** RE: PQ - S6W-24358 - Due 16th Jan

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