

<b>NAME OF COMMITTEE</b>	<b>COUNCIL</b>
<b>DATE</b>	<b>17 FEBRUARY 2015</b>
<b>REPORT TITLE</b>	<b>APPOINTMENT OF ELECTORAL REGISTRATION OFFICER AND RETURNING OFFICER</b>
<b>REPORT OF</b>	<b>EXECUTIVE DIRECTOR (STRATEGY AND COMMISSIONING) AND HEAD OF PAID SERVICE</b>
<b>WARDS AFFECTED</b>	<b>ALL</b>

**Summary of report:**

To seek the approval of the Council for the appointment of the Executive Director – Strategy and Commissioning as the Electoral Registration Officer and Returning Officer, in accordance with the Representation of the People Act 1983.

**Financial implications:**

There are no financial pressures arising from this report.

**RECOMMENDATION**

That the Council agree that, with immediate effect:-

1. The Executive Director – Strategy and Commissioning (Steve Jordan) be appointed as the Electoral Registration Officer and Returning Officer for West Devon Borough Council; and,
2. The Executive Director – Service Delivery and Commercial Development (Sophie Hosking) be appointed as the Deputy Electoral Registration Officer for West Devon Borough Council.

**Officer contact:**

Steve Jordan, Executive Director (Strategy & Commissioning) & Head of Paid Service;  
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**Lead Member contact:**

Cllr Philip Sanders (Leader of Council) email: [Cllr.Philip.Sanders@westdevon.gov.uk](mailto:Cllr.Philip.Sanders@westdevon.gov.uk)

**1. BACKGROUND**

- 1.1 Following recruitment of the new senior management team, in particular the arrival of new post holders for the two Executive Director roles, there is a need to appoint an Electoral Registration Officer and Returning Officer. It is both a

statutory and constitutional requirement for these positions, and the position of Deputy Electoral Registration Officer, to be appointed by full Council.

1.2 The main duties of the Electoral Registration Officer include the creation and maintenance of the registers of Electors. The statutory involvement of the post includes the provision of registers and absent voter lists for each polling station, as well as to candidates at the election and to the Returning Officer.

1.3 It is the duty of the Returning Officer to organise and conduct elections. As the roles are closely linked, for consistency, it is usual for the Electoral Registration Officer and the Returning Officer roles to be held by the same person, particularly as for UK Parliamentary Elections, the Electoral Registration Officer appointed for the Council automatically becomes the Acting Returning Officer.

## **2. ISSUES FOR CONSIDERATION**

2.1 As part of shared services, recent practice has been to appoint one of the senior management team to undertake the role for both authorities.

2.2 Given the scale of the forthcoming elections (which involve Parliamentary, Borough wide and town/parish polls, in tandem with changes to the national electoral registration system, as well as ward boundary changes as a result of the review undertaken by the Local Government Boundary Commission for England), it is proposed that for 2015 to appoint one of the Executive Directors to the role in West Devon, with the other Executive Director similarly appointed in South Hams.

## **3. LEGAL IMPLICATIONS**

3.1 A Returning Officer is required for a number of different types of elections; principally those held under the Representation of the People Act 1983. The intention is that this appointment would cover all elections and referendums managed by the Council following restructuring of the senior management team.

3.2 There is a separate statutory role of Electoral Registration Officer. The responsibilities of the role are set out in the Electoral Administration Act 2006. Unlike the Returning Officer, who can appoint deputies at election time, it is a requirement that the Council appoints a Deputy Electoral Registration Officer.

## **4. FINANCIAL IMPLICATIONS**

4.1 The Returning Officer fees for external elections and referendums are set by regulations and are funded externally.

## **5. RISK MANAGEMENT**

5.1 The Risk Management implications are shown at the end of this report in the Strategic Risks Template.

## 6. OTHER CONSIDERATIONS

<b>Corporate priorities engaged:</b>	None, directly relevant to this report
<b>Statutory Powers:</b>	Local Government Act 2000 Representation of the People Act 1983
<b>Considerations of equality and human rights:</b>	None directly related to this report
<b>Biodiversity considerations:</b>	None directly related to this report
<b>Sustainability considerations:</b>	None directly related to this report
<b>Crime and disorder implications:</b>	None directly related to this report
<b>Background papers:</b>	Council Constitution; Previous reports appointing the Electoral Registration Officer and Returning Officer (e.g. Council meeting in February 2014)
<b>Appendices attached:</b>	None

The risk management implications are:

### STRATEGIC RISKS

No	Risk Title	Risk/Opportunity Description	Inherent risk status				Mitigating & Management actions	Ownership
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
1	Workload for a newly appointed 'shared' Electoral Registration Officer and Returning Officer. A shared appointment would follow current practice to reflect the wider joint arrangements.	There is a great deal of work required as there are three polls in May 2015. In addition there are significant changes in relation to national requirements for electoral registration, as well as changes to the boundaries of wards following the recent Local Government Boundary Commission for England's review.	5	2	10	↔	For 2015 revert to separate roles for each Council.	Head of Paid Service
2	Separate appointments will enable the new appointees to be 'on the ground' in both Councils.	Significant risks can arise leading up to and during a complex election as the ones scheduled for May 2015. A shared Returning Officer may be in the wrong place at the wrong time.	5	2	10	↔	For 2015 revert to separate roles for each Council.	Head of Paid Service

Risk Score 20-25: very high; 12-19: high; 8-12; medium; <8: low

Direction of travel symbols = ↓ ↑ ↔