

Report to: **COUNCIL**

Date: **22 February 2018**

Title: **Appointment of Deputy Electoral
Registration Officer**

Portfolio Area: **Leader of Council**

Wards Affected: **All**

Relevant Scrutiny Committee: **Overview and Scrutiny Panel**

Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken: **Immediately
following this
meeting**

Author: **Darryl White** Role: **Senior Specialist –
Democratic Services**

Contact: **Email: darryl.white@swdevon.gov.uk**

RECOMMENDATION

That the Council agrees that, with immediate effect, the Group Manager – Customer First and Support Services (Steve Mullineaux) be appointed as the Deputy Electoral Registration Officer for South Hams District Council.

1. Executive summary

- 1.1 Members will be aware that the Council's previously appointed Deputy Electoral Registration Officer (Steve Jorden) recently left the employ of the Council.
- 1.2 As a consequence, this report seeks the approval of the Council to appoint the Group Manager – Customer First and Support Services (Steve Mullineaux) as the Deputy Electoral Registration Officer for the Council.

2. Background

- 2.1 It is both a statutory and constitutional requirement for the Council to appoint an Electoral Registration Officer and Returning Officer.

- 2.2 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 list for each Polling Station, as well as to candidates at the election and to the Returning Officer.
- 2.3 The main duty of the Returning Officer is 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;
- 2.4 Members will be aware that the Head of Paid Service (Sophie Hosking) has been the Council's Electoral Registration Officer and Returning Officer since 12 February 2015 (Minute 69/14 refers) and it is proposed that this arrangement continues.;
- 2.5 However, should the Electoral Registration Officer be absent for a period of time, there may be a need for a Deputy to act in her place. It is therefore recommended that the Group Manager – Customer First and Support Services (Steve Mullineaux) be appointed to fulfil the role of Deputy Electoral Registration Officer for the Council.

3. Options available and consideration of risk

- 3.1 The principal risks associated with this appointment falls on the officer who holds this role.
- 3.2 The risks to the Council are that, without making adequate provision to remunerate, train and indemnify these officers, it may fail to identify any persons prepared to undertake these statutory tasks. Also, having made such an appointment, the Council may run the reputational risk associated with a successful legal challenge that exposes the officer to significant financial loss as a result of the failure of the Council to do what is lawful and appropriate.
- 3.3 The appointment of a Deputy Electoral Registration Officer ensures greater resilience in the event of the Electoral Registration Officer being absent for any period of time.

4. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance		The Council is duty bound under the Representation of People Act 1983 to appoint to these statutory positions.

Financial		The Returning Officer fees for external elections and referendums are set by regulations and are funded externally.
Risk		The key risks associated with this report are outlined at Section 3 above.
Comprehensive Impact Assessment Implications		
Equality and Diversity		None directly related to this report.
Safeguarding		None directly related to this report.
Community Safety, Crime and Disorder		None directly related to this report.
Health, Safety and Wellbeing		None directly related to this report.
Other implications		N/A

Supporting Information

Appendices:

None

Background Papers:

Report and minutes arising from the Council meeting held on 12 February 2015.