

RECORD OF DECISION MADE UNDER DELEGATED AUTHORITY

PUBLIC DOCUMENT

Any interest to declare/ or conflict and any dispensation granted - n/a

SERVICE DIRECTORATE: Legal and Community

1. **DECISION TAKEN**

That the Scale of Electoral Services Fees for electoral events to be during 2019/20 be as set out at Appendix A.

2. **DECISION TAKER**

Jeanette Thompson as Service Director: Legal and Community with responsibility for Elections Services¹ (in consultation with Ian Couper as Chief Finance Officer).

3. **DATE DECISION TAKEN:**

28 January 2019.

4. **REASON FOR DECISION**

To enable the Council to remunerate the Returning Officer and the staff he employs to carry out tasks during electoral events and to be open and transparent regarding other payments.

5. **ALTERNATIVE OPTIONS CONSIDERED**

- 5.1. For the scales of fees to remain at the 2018/19 rates or to increase some areas (such as Presiding Officer's rates) quite considerably to reflect other local rates.
- 5.2. The decision taken was to, however, increase the fees by 2%, as per the practice adopted for the last review. For the purposes of uniformity the fees have been rounded to the nearest ten pence denomination.

6. **CONSULTATION (INCLUDING THE EFFECT ON STAKEHOLDERS, PARTNERS AND THE PUBLIC)**

Informal consultation was undertaken with neighbouring local authorities in respect of fees, as considered to be competitors when recruiting staff.

7. **RELEVANT CONSIDERATIONS**

- 7.1. Each Local Authority is required to appoint one of its officers as Returning Officer (RO). The RO is appointed in an independent capacity by the Council to organise and oversee the administration of elections. Each Council must provide their RO with the resources required for an election, which includes the cost of recruiting and paying staff, although these are effectively employed by the RO.
- 7.2. A scale of fees is required to cover staff costs associated with the administration of elections and other electoral events, for example, a local planning referendum or parish poll. The Scale is directly applicable to district and parish electoral events.

¹ & Under 14.6.9(a)(xxiii) to carry out the duties of the Returning Officer because of his inability to act – i.e. set his own particular Returning Officer fees.

Other electoral events (eg County elections where applicable) are subject to agreement.

- 7.3. The RO appoints circa 300 temporary staff for local elections, and will need to do so for the District elections to be held in May 2019. The informal 'consultations' and research has indicated that the levels approved in Appendix A (which includes the 2% increase), are below average when comparable with neighbouring authorities although sufficient to maintain staffing levels and interest.

8. LEGAL IMPLICATIONS

- 8.1. The Chief Executive is appointed as RO as per sections 12.1.2, 14.6. 5 and 14.6.12 of the Constitution.
- 8.2. Section 36 of The Representation of The People Act 1983 (RoTPA) provides that [at (4), (5), (5A)] all expenditure properly incurred by a Returning Officer in relation to the holding of a district, parish or community election be paid by that council, or parish or community council for which the election is held.
- 8.3. A RO is entitled to recover his charges in respect of services rendered or expenses incurred for elections, as per section 29 RoTPA.

9. FINANCIAL IMPLICATIONS

The fees for elections are considered in the budget setting process. In the case of Parish elections, each Parish is charged for its election.

10. RISK IMPLICATIONS

The Council needs to ensure it complies with statutory requirements one element of this is to ensure that it has a number of staff required to operate an election.

11. EQUALITIES IMPLICATIONS

There are no equalities implications.

12. SOCIAL VALUE IMPLICATIONS

The Social Value Act and "go local" policy do not apply to this decision.

13. HUMAN RESOURCE IMPLICATIONS

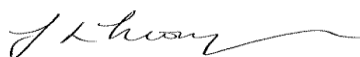
There are no human resource implications, other than those set out.

14. BACKGROUND PAPERS

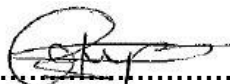
None.

15. NOTIFICATION DATE

1 February 2019



Signature of Decision Taker



Signature of the Chief Finance Officer

This decision is a NON-EXECUTIVE DECISIONS and is not subject to call in.