

Full Council



Urgent item - 23 May 2017

Report of: Strategic Director of Resources

Title: Appointment of Returning Officer

Ward: Citywide

Recommendation

That Shahzia Daya, Service Director – Legal and Democratic Services be appointed Electoral Registration Officer and Acting Returning Officer for Bristol City Council for the Parliamentary Election to be held on 8th June 2017.

(In a general election, the Electoral Registration Officer is automatically the Acting Returning Officer.

The Lord Mayor is the Returning Officer at Parliamentary elections as an honorary position).



Summary:

The Returning Officer (RO) is the person who has the overall responsibility for the conduct of elections in Bristol. The RO is usually an officer of the council, but the role of the RO is a personal responsibility, independent and separate from their duties as an employee of the council.

The Electoral Registration Officer (ERO) is the person with statutory responsibility for the creation and maintenance of the register of electors and the absent voters list. This person takes responsibility for publishing a revised electoral register and issuing monthly alterations notices.

The role of the Electoral Registration Officer is a personal responsibility, independent and separate from their duties as an employee of the council. These two roles of Returning Officer and Electoral Registration Officer are typically combined and performed by a single person.

Policy

The City Council must appoint a named individual to the role of Returning Officer.

Consultation

Internal

SLT

External

None.

Context

1. The Returning Officer is the person who has the overall responsibility for the conduct of elections in Bristol. They are appointed under the Representation of the People Act 1983. It is the duty of the RO to organise and conduct elections.

2. It is the RO's general duty at elections to do all such acts and things as may be necessary for effectively conducting the election for example:

- the nomination process for candidates and political parties;
- provision, administration, security and notification of polling stations;
- appointment of staff such as presiding officers and count staff;
- preparation and issue of all ballot papers; issue, receipt and counting of postal ballot papers;
- organising and delivering the count and declaration of results;
- receipt of all candidates' election expenses returns;
- presentation of final account and claiming appropriate funding from central government as prescribed.
- retention of election documents.

3. A General Election will take place on 8 June 2017, including the 4 parliamentary constituencies in Bristol. In the case of a general election, the Electoral Registration Officer is also the Acting Returning Officer. The Lord Mayor is the Returning Officer at Parliamentary elections as an honorary position.

4. The Electoral Registration Officer is the person with statutory responsibility for the creation, maintenance, security and distribution of the register of electors and the absent voters list. The register of electors is based on an annual canvass and monthly rolling registration of all properties

where electors reside. The Electoral Registration Officer maintains four registers of those entitled to vote at various types of elections.

5. The Electoral Registration Officer takes responsibility for publishing a revised electoral register and issuing monthly alterations notices.

6. At an election the Electoral Registration Officer has a statutory obligation to provide registers and absent voters lists for each polling station as well as to candidates at the election and to the Returning Officer.

Proposal

The proposal is to make the appointment as set out in the recommendation.

Other Options Considered

None given the imminence of the election

Public Sector Equality Duties

Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following “protected characteristics”: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation;

Legal and Resource Implications

Legal Implications

It is a requirement of Section 8 of Representation of the People Act 1983 that the Council appoints an Electoral Registration Officer. By virtue of s28(1) of the Act only the ERO may act as Acting Returning Officer in parliamentary elections.

Nancy Rollason, Head of Legal Services

Financial Implications

The Representation of the People Act 1983 makes provision for a scale of expenses to be fixed for the purpose of determining the Returning Officer’s expenditure.

Elections are categorised as either “local” (i.e. parish, district, county or unitary) or “Parliamentary” (i.e. Westminster).

Parliamentary elections have their own fees and charges, set by the Cabinet Office and appropriate expenditure on these elections is reclaimed from central government.

There is no change to the existing budget and charging arrangements in place as a result of this report.

Chris Holme, Service Manager: Finance Business Support

Appendices - None.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers None.