

**Council – 9<sup>th</sup> January, 2023**

## **Appointment of Deputy Election Registration Officer**

**Service:** All

**Wards:** All

### **1. Aim**

- 1.1 To appoint a Deputy Election Registration Officer to ensure that there is the necessary resilience in Electoral Services to manage elections and referenda.

### **2. Summary**

- 2.1 The Council has to provide the necessary resources for the Election Registration Officer to carry out his functions. The Electoral Commission advises that councils should appoint one or more Deputy Election Registration Officers (DERO'S) who can carry out the duties and powers of the Electoral Registration Officer if they are unable to act personally.
- 2.2 Any deputies appointed should have the skills and knowledge required to carry out the functions that they have been assigned. Appointments should be made in writing and include clear details of the full or particular powers that the deputy is authorised to exercise on behalf of the ERO. In particular, it may be useful to appoint deputies to undertake quasi-judicial procedures, such as hearings of registration applications, objections and reviews. The acceptance of any such appointment should also be made in writing.
- 2.3 Unlike Returning Officers, the ERO cannot appoint a deputy themselves, unless the power to do so has been delegated to them by the council. If the position of ERO is vacant or the ERO is incapable of acting, any of the duties and powers of the ERO may be carried out by the proper officer of the council.

### **3. Recommendation**

- 3.1. That the Council appoint the Deputy Elections Manager to be the Deputy Electoral Registration Officer for the Council.

### **4. Report detail – Know**

- 4.1 Section 8(2) of the Representation of the People Act 1983 requires each English district council and London Borough to appoint an Electoral Registration Officer.

- 4.2 The Electoral Registration Officer must be appointed by Full Council.
- 4.3 The individual appointed carries personal liability for their duties. The Council must not direct them in the performance of these duties. The Council must however assign such officers as may be required to assist them to carry out their functions, and must pay any expenses properly incurred in performance of their duties.
- 4.4 The personal responsibilities include:
- The duty to maintain a list of UK Parliamentary and local government electors for the local authority area;
  - The duty to maintain a list of relevant citizens of the European Union entitled to vote at European Parliamentary elections;
  - The requirement to take reasonable steps to obtain information for those purposes and to ensure that persons who are entitled to be registered (and no others) are;
  - The requirement to conduct an annual electoral registration canvass and to give persons invitations to register to vote;
  - The requirement to take steps to encourage participation by electors in the electoral process;
  - The requirement to meet such standards of performance as set by the Electoral Commission.
- 4.5 It is usual practice to appoint a Deputy Electoral Registration Officer to provide for the smooth administration of the electoral registration process. This ensures that if the Electoral Registration Officer is incapacitated or unavailable, decisions relating to their duties can still be taken. This would be particularly important in an election period, when decisions are made relating to register updates and absent voting applications, and on polling day when register queries can be referred from polling stations.
- 4.6 The Deputy Electoral Registration Officer must also be appointed by Council unless this function is delegated to the Electoral Registration Officer.

## **5. Financial information**

- 5.1 There are no direct financial implications.

## **6. Reducing Inequalities**

- 6.1 It is imperative that the Councils decision making structures and processes are lawful, clear and transparent. This ensures that powers are used responsibly and reasonably to give confidence to the entire borough that decision making is fair and beyond reproach.

## **7. Decide**

- 7.1 That the recommendation in 3.1 be approved by Council.

## **8. Respond**

- 8.1. Should Council approve the recommendation as set out in 3.1, the Director of Governance will write to the Deputy Elections Manager confirming the appointment.

## **9. Review**

- 9.1 The election service will keep the resourcing of the service under review and will continue to consider advice provided by the Electoral Commission in relation to the management of elections.

**Background papers:** None

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