Elections and Electoral Registration
Reporting Officer: Director of Corporate and Legal Services

1 Purpose of Report

1.1 The purpose of the report is to review the structure of the elections team in the light of the implementation of individual elector registration and taking account of future requirements for elections.

1.2 The report is submitted by the Director of Corporate and Legal Services in his capacities as the Returning officer and Electoral Registration Officer. The report sets out his considerations of the staffing requirements to meet the statutory obligations.

2 Recommendation:

That the revised structure set out in Appendix A be approved subject to consultation with an anticipated additional cost of:

- 2016/17 £ 14,520;
- 2017/18 and onwards £ 44,520.

3 Report Details

3.1 In every district in England the Council is required to appoint an officer to be the Electoral Registration Officer. Similarly, every district council is required to appoint an officer to be the Returning Officer for the election of District Councillors and for the election of Councillors of any parishes. The Electoral Registration Officer has a duty to maintain a register of parliamentary and local government electors and those citizens of the European Union who are entitled to vote at European parliamentary elections. The Electoral Registration Officer has a duty to conduct an annual canvas and to maintain the register throughout the year by way of rolling registration.

3.2 The Returning Officer is responsible for the running of an election and for ensuring that it is run in accordance with the law. The Returning Officer is personally liable for the conduct of the election. The Returning Officer, usually, is also usually appointed to be the Acting Returning Officer for the conduct of parliamentary election, the Local Returning Officer for the
European elections and the Counting Officer for referendums. Each district council is required to provide officers to assist the Electoral Registration Officer in carrying out his statutory functions. At parliamentary and European elections and referendums the Acting Returning Officer can recover the cost of running the election for services properly rendered and expenses properly incurred in connection with the election. At a district election all expenditure properly incurred by the Returning Officer must be paid by the Council. At parish elections any expenditure properly incurred shall be paid by the District Council although it may require the parish to repay some or all of the expenses.

3.3 It is likely, now, that there will be an election in most years. In addition, there may be referenda particularly in relation to Neighbourhood Plans. An election is scheduled every four years for the Police and Crime Commissioner and this election is conducted through the District Returning Officers and co-ordinated by one of them.

**Individual Elector Registration**

3.4 Individual elector registration was introduced in June 2014. Under individual elector registration (IER) each individual in a property is required to register as an elector in his or her own right. The previous system whereby the head of the household registered everyone in that property has now been replaced. There was a transitional arrangement where people on the existing registers could be transferred to the register maintained under IER. The transitional arrangements would apply particularly with reference to the parliamentary election. The government has indicated that the transition to IER will end in December 2015, which is a year earlier than scheduled.

3.5 IER was introduced to provide a more secure, effective and appropriate system of registration. The IER system is fundamentally different to its predecessor and has different steps and features. The roles in effecting registration and undertaking the canvass have changed substantially. The IER system is very much more labour intensive and generates a considerable volume of paperwork. The government considered that new systems would have to be adopted to apply IER and that, initially at least, it would be more costly than the previous system. The government has provided funding to the Council for the initial stages of the implementation of IER and it is believed that this will continue although it is not clear when it will cease.

3.6 The IER system requires a household enquiry form to be sent by post to every household in the District. The household enquiry form (HEF) shows the people who are stated to be resident in the household and the invitation to register is provided to anyone who is not registered and is identified in the HEF. If a HEF is not returned further reminders are sent. Ultimately a visit may have to be made to a property and it is required that there should be at least two personal visits to a property if no response is received. The HEF cannot be used to populate the register. The invitation to register contains personal detail through which the identity of a person can be checked through the Department of Work and Pensions in an electronic matching
exercise. If there is no match against the Department of Work and Pensions information the individual is contacted and required to provide two forms of identity to substantiate the registration as an elector.

3.7 There is rolling registration throughout the year. If information is obtained relating to a change of a persons address an invitation to register is generated.

3.8 There has to be an annual canvass. In the current year it took place from July to December. In addition there is a requirement to pursue the canvass throughout the year and promote registration. It may be necessary to canvass a property where the identity of the occupant is believed to have changed. There are occasions when people have to be removed from the register and in some cases two pieces of evidence are required to substantiate that an individual should no longer be registered at a particular address.

3.9 In the HEF a request is made as to whether a person wishes to opt from the Open Register. As the HEF is sent to the occupier of a property and not to an individual a letter has to be sent to the specific person who indicates that he or she wishes to opt out. The individual then confirms his or her wish and a letter is sent confirming the opting out following the individual request. As a consequence a number of letters are required to be generated which may well give rise to some frustration on the part of the recipient and generate contact with the elections office. The requirement to undertake a canvass throughout the year is new and is something which will be required to be carried out by someone employed through the Council.

3.10 The Electoral Registration Officer is under a duty to promote registration and to target those groups who are considered to be hard to reach or where there may be perceived to be particular problems due to the change in registration. There is an expectation that those resident in care homes and students should be targeted to ensure that all individuals are registered. In relation to care homes under the previous system it was likely that one person would ensure that everyone in the home was registered without the requirement for each individual to comply with the process.

3.11 The implementation of IER has clearly led to an increase in duties to be undertaken within the elections office and in the requirements for the staffing resource to undertake the various processes. The staffing levels within the office were increased to prepare for and implement IER. The additional staff have been paid for through the funds received from government. There will be additional duties to be undertaken through the annual canvass and in promoting registration in the future.

3.12 The roles undertaken within the elections office have changed considerably to implement IER as have the resource requirements to undertake those roles.

Elections
There are a number of elections which are conducted through the elections officer relating to the relevant four or five year cycle. On occasions there can be more than one election in any year such as occurred in 2015. Elections have become more complex in their organisation and preparation. Postal voting has become more common. Elections have to have formal plans, risk registers and strategies. The conduct of elections is subject to oversight by the Electoral Commission which requires confirmation that the relevant and required plans and registers have been prepared and are being applied. On occasions formal monitoring through the Electoral Commission takes place. The Electoral Commission has set various performance indicators for the conduct of elections and electoral registration and there is an expectation that they will be met.

There have been legislative changes in relation to the conduct of elections. For example, in 2014 a requirement was introduced to notify a postal voter if his or her vote had been rejected. A postal vote can be and should be rejected if the signature does not match that which is held by the elections officer for the individual elector or if the date of birth is not the same as that which is held for that person. The notification to the individual is to notify him or her of the rejection and take corrective action. A person may change a signature or a date or both. There is a requirement for the person who is in actual day to day conduct of elections and electoral registration to be conversant with the legislation and changes to statutory requirements. The person in day to day conduct of an election is best placed to prepare the various plans, registers and strategies in the months leading up to the election.

As Members will be aware for both the European and parliamentary elections a consultant has been engaged to support and supplement existing staffing resources and provide a managerial overview of the staff and the process. In part the need related to particular staffing issues within the office and the complexity of a particular election.

The Staffing Proposal

The formal structure of the elections office is one full-time Elections Officer and one part-time (0.5) Elections Assistant. The staffing has been supplemented by, in effect, one full-time Elections Assistant since the introduction of IER. The staffing of the elections office is supplemented with officers from Legal Services, Democratic Services and Licensing in particular at the time of elections. In addition a number of staff are engaged to undertake the poll and the counting of votes. The staffing complement is supplemented at the time of the annual canvas.

It is considered that, in the future, the structure of the elections service should be an Elections Manager, an Elections Officer and one Elections Assistant. It is proposed that there should be three full-time posts split across the three distinct roles. This is an increase on the staffing establishment which is largely due to the impact of IER but is reflective in part of the revised approach in relation to elections which has arisen over the years. It is intended that the core staff will still have to be supplemented with
staff from elsewhere within the Council at peak times. There will continue to be a need to engage canvassers although one aspect of the roles of the new proposed Assistant post is in relation to the need to undertake a canvass throughout the year. The new structure is proposed to enable the new and revised duties in relation to elections and IER to be applied, for absent voters to be targeted, for registration to be encouraged and for registration to be maximised.

3.18 The anticipated cost of the new structure is set out in the financial implications and amounts to £88180 (including on costs) in a year. It should be noted that funding has been received from government in the past and may be continued in future years.

The costs of the new posts are based on assumed grades and these are shown in the report. The actual grades will be determined by job evaluation.

3.19 It is possible that the government will change aspects of IER in particular. It is possible that government will change the requirement in relation to HEFs or in relation to the various documents which have to be despatched at particular stages. It is possible that there will be an increased reliance on digital technology to undertake various aspects of the processes which may reduce the staffing need over time.

3.20 Whilst there are requirements to continue to use paper and rely upon the postal services there is an increasing dependence upon the software to both undertake elections and pursue electoral registration. There are proposals from the software suppliers to improve systems and processes.

Electoral Transformation Challenge Project

3.21 The Manchester authorities and the Cumbrian authorities obtain transformation challenge funding to improve the delivery of electoral services. Eden was part of the project in Cumbria. The project was aimed at reviewing electoral management during the May 2015 elections to identify best practice and to consider the digitisation of registration, canvassing and removal processes. One aim of the project was to increase resilience across the Cumbrian authorities and to provide common practices and procedures. It is proposed that the results from the project will be applied following their submission to government with the aim of increasing resilience and applying fresh priorities to support the process in connection with elections and electoral registration.

The Current Responses to the Canvas and to Registration

3.22 As at 12 November 2015 responses had been received from 22,298 properties out of the 25,811 which are recorded on the systems in relation to electoral registration. Consequently, responses are outstanding from 3,513 properties. It is expected that this number will be reduced. The number outstanding follows the despatch of all the required forms and personal visits to the premises concerned. It is expected that there are in the region of 42,000 electors in Eden. The actual number varies depending upon the elections at which an individual is eligible to vote for example, a person may
be able to vote at European elections but not at parliamentary election. A new register will be published on 1 December. The number of people registered to vote as at 1 September 2015 was 41,910. The number of people registered to vote, substantially, is that to be expected.

4 Policy Framework

4.1 The Council has four corporate priorities which are:
- Decent Homes for All
- Strong Economy, Rich Environment
- Thriving Communities
- Quality Council

4.2 This functions relating to elections and electoral registration are matters for Council and do not fall within the matters to be determined by the Executive.

5 Implications

5.1 Legal

5.1.1 The Council is obliged to appoint an officer as the Returning Officer and an Electoral Registration Officer. The Council has a duty to provide that officer with sufficient staff that are required to carry out the statutory functions. This report is written with reference to that duty.

5.2 Financial

5.2.1 Any decision to reduce or increase resources must be made within the context of the Council’s stated priorities, as set out in its Council Plan 2015-19 as agreed at Council on 17 September 2015.

5.2.2 The costs (including on-costs) in each year of the proposed staffing of the elections section are as follows:

<table>
<thead>
<tr>
<th>Role</th>
<th>Cost</th>
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<tbody>
<tr>
<td>Elections Manager</td>
<td>£36,770</td>
</tr>
<tr>
<td>Elections Officer</td>
<td>£30,250</td>
</tr>
<tr>
<td>Elections Assistant</td>
<td>£21,150</td>
</tr>
<tr>
<td>Total</td>
<td>£88,180</td>
</tr>
</tbody>
</table>

5.2.3 The current cost (including on-cost) of the permanent staff within the elections service is £43,660. In addition, there are currently temporary staff in post with a cost of £24,580.

5.2.4 The Council has received funding from government in the sum of £59,612.01 since 26 April 2013 for the implementation of IER. Part of this funding was to meet the costs of hardware and to maximise voter registration. In providing the funding government recognised that there would be a need to engage staff in applying the new processes. There is approximately £30,000 remaining from the IER funding which has been provided to date.
5.2.5 The annual on-going additional cost is £44,520 (£88,180 less £43,660)

5.2.6 Assuming that staff are in post on 1 April 2016 then the estimated additional costs are as follows:

<table>
<thead>
<tr>
<th></th>
<th>2016/17</th>
<th>2017/18 onwards</th>
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<tbody>
<tr>
<td>Additional on-going cost</td>
<td>44,520</td>
<td>44,520</td>
</tr>
<tr>
<td>Less: IER funding</td>
<td>-30,000</td>
<td>0</td>
</tr>
<tr>
<td>Net additional cost</td>
<td>14,520</td>
<td>44,520</td>
</tr>
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</table>

All costings are done at top of the grade

5.3 **Equality and Diversity**

5.3.1 The Council has to have regard to the elimination of unlawful discrimination and harassment and the promotion of equality under the Equality Act 2010 and related statutes.

5.4 **Environmental**

5.4.1 The Council has to have due regard to conserving bio-diversity under the Natural Environment and Rural Communities Act 2006.

5.5 **Crime and Disorder**

5.5.1 Under the Crime and Disorder Act 1998 the Council has to have regard to the need to reduce crime and disorder in exercising any of its functions.

5.6 **Children**

5.6.1 Under the Children Act 2004 the Council has to have regard to the need to safeguard and promote the welfare of children in the exercise of any of its functions.

5.7 **Risk Management**

5.7.1 There is a clear risk that if staffing levels are not supplemented that the Council will be unable to comply with its statutory duties and responsibilities in relation to IER and the conduct of elections. Similarly, there is a clear risk that the Council will not be able to undertake the necessary processes and activities in relation to the conduct of elections unless the staffing resource is adequate. The two functions are high profile; they apply to every elector in the District. The conduct of an election is itself of a high risk profile with a high impact if things go wrong. The proposals in the report are the considerations of the current Returning Officer and Electoral Registration Officer of the needs of the service going forward in relation to the conduct of elections and electoral registration.
6 Reasons for decision/recommendation

6.1 To secure a sufficient complement of staff to conduct elections and electoral registration within Eden District Council.

P G Foote
Director of Corporate and Legal Services

Governance Checks:

| Checked by or on behalf of the Chief Finance Officer | ✓ |
| Checked by or on behalf of the Monitoring Officer   | ✓ |

Background Papers:
Contact Officer: P G Foote
Telephone Number: 01768 212205
## ELECTIONS STRUCTURE

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<thead>
<tr>
<th>Post</th>
<th>Grad</th>
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<th>Top</th>
<th>Basic</th>
<th>Ers</th>
<th>Ers</th>
<th>Gross</th>
<th>Cost</th>
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<td>1</td>
<td>31</td>
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<td>2623.56</td>
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<td>Elections Assistant</td>
<td>D</td>
<td>0.5</td>
<td>17</td>
<td>8686</td>
<td>1250.78</td>
<td>74.64</td>
<td>10011.4</td>
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<tr>
<td>Elections Support Officer</td>
<td>G</td>
<td>0.5</td>
<td>28</td>
<td>12236</td>
<td>1761.98</td>
<td>569.16</td>
<td>14567.1</td>
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<tr>
<td>Elections Assistant</td>
<td>D</td>
<td>0.5</td>
<td>17</td>
<td>8686</td>
<td>1250.78</td>
<td>74.64</td>
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<td><strong>Proposed:</strong></td>
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</tr>
<tr>
<td>Elections Manager</td>
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<td>34</td>
<td>29558</td>
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<td>36773.9</td>
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<td>2257.68</td>
<td>30253.6</td>
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<tr>
<td>Elections Assistant</td>
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<td>17372</td>
<td>2501.57</td>
<td>1277.88</td>
<td>21151.4</td>
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</tbody>
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* NI calculated on Table A (as contracted out Table D ceases wef 2015/16)
Also assumes posts are filled by one employee and not job share (job share could reduce NI costs, unless employee holds other posts)