

REPORT TO: Council

DATE: 8 March 2023

REPORTING OFFICER: Chief Executive

PORTFOLIO: Leader's

SUBJECT: Appointment of Deputy Electoral Registration Officers

WARD(S) Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To consider the appointment of Deputy Electoral Registrations Officers.

2.0 RECOMMENDATION: That

2.1 The Council appoint Janice Bisset (Elections Manager) and Paul Beaumont (Deputy Elections Manager) as Deputy Electoral Registration Officers to, in the absence of the Electoral Registration Officer: -

1. Approve and sign temporary Voter Authority Certificates;
2. Conduct hearings of registration applications, objections and reviews.

3.0 SUPPORTING INFORMATION

3.1 Pursuant to section 8(2) of the Representation of the People Act 1983, the Council is required to appoint an Electoral Registration Officer ("the ERO") who is responsible for compiling and maintaining the register of electors. The ERO has a number of statutory duties, many of which he must perform personally. A breach of these duties is serious and may result in criminal liability. For these reasons, the Electoral Commission recommends the appointment of one or more deputy EROs who can act in the ERO's absence. The power to appoint deputy EROs rests with the Council rather than the ERO.

3.2 As members will be aware, the Chief Executive is the ERO and there are currently no deputies. This is because the need for deputy EROs has not previously arisen. Following recent changes to the elections process under the Elections Act 2022, namely the introduction of voter ID requirements, deputy EROs are now required to provide resilience to the role so that the Council may comply with its statutory duties in relation to elections and ensure

the smooth administration of the electoral process.

- 3.3 From 4 May 2023, voters in England will need to show photo ID to vote at polling stations at local elections and other specified elections (and at UK General Elections from October 2023). Where a person does not have an accepted photo ID, they may apply to the Council for a permanent Voter Authority Certificate (“VAC”) and a temporary VAC may be issued in certain circumstances. A temporary VAC is only valid for the relevant date of a specific election and it must be signed by the ERO. For security reasons, the Electoral Commission advises that this should be a wet ink signature.
- 3.4 It is impractical for the Chief Executive to approve and personally sign each temporary VAC and given that these may be issued where there is not enough time to issue a permanent VAC prior to polling day, there is a risk that he is not available to sign these in time. The appointment of deputy EROs would therefore avoid this situation and any resulting breach of statutory duty.
- 3.5 It is also recommended that the EROs are appointed to deal with hearings of registration applications, objections and reviews where the Chief Executive is unavailable. These hearings must be held within a strict time limit and, therefore, appointing deputies would again reduce the risk of there being a breach of this statutory duty.
- 3.6 According to the Electoral Commission:-
- “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”*
- 3.7 Both the Elections Manager (who is also the Acting Returning Officer for UK Parliamentary Elections) and the Deputy Elections Manager have the knowledge and skill set for the role and they are the most appropriate officers in the Council given what their current roles entail. For the sake of clarity, no other functions of the ERO other than the two specified above are to be carried out by the deputy EROs.

4.0 **POLICY IMPLICATIONS**

4.1 None

5.0 **FINANCIAL IMPLICATIONS**

5.1 None – the salaries of the Elections Manager and the Deputy Elections Manager are commensurate to the role of Deputy ERO.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children & Young People in Halton

N/A

6.2 Employment, Learning & Skills in Halton

N/A

6.3 A Healthy Halton

N/A

6.4 A Safer Halton

N/A

6.5 Halton's Urban Renewal

N/A

7.0 RISK ANALYSIS

7.1 The appointment of the Deputy Electoral Registration Officer will mitigate risks in the events that the Electoral Registration Officer is unavailable, particularly the risks of not being able to administer electoral register hearings within the statutory timescales.

8.0 EQUALITY AND DIVERSITY ISSUES

8.1 There are no Equality or Diversity issues.

9.0 CLIMATE CHANGE IMPLICATIONS

9.1 There are no climate change implications.

10.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

None under the meaning of the Act.