

# Council Report



Full Council – 13 March 2024

## RETURNING OFFICER'S FEES AND DISBURSEMENTS

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Exempt / confidential / not for publication	<b>No</b>
Council Plan reference	<b>Not in Council Plan</b>
Wards affected	<b>All wards</b>

### Executive summary

It has been the practice for the Council to adopt a schedule of fees and disbursements broadly consistent with other neighbouring Councils.

The introduction of Voter-ID requirements for polls in May 2023, and other associated Elections Act measures since, has significantly increased the degree of complexity in administering the election for polling station staff. They will be required to accept or refuse ID in line with the new requirements and receive / check new forms when postal votes are handed in at polling stations, as directed by legislation.

Due to these changes, fees for polling station staff were uprated in 2023 after consultation with neighbouring councils. We have proposed a further modest increase to fees for polling station staff in 2024 (which are shown in **Annex A**), and all polling station staff will attract a further enhancement based on the fact that all elections will be combined (PCC and local elections). Pay rates have also been reviewed and set according to newly introduced pay bands fixed by the Electoral Claims Unit (ECU) in very recently issued Expenses Guidance for Returning Officers (for example the maximum that can be paid for training polling station staff is £42.50).

Overall, the Returning Officer is satisfied that these fees will enable the recruitment of appropriate and necessary staffing levels; and any additional fees would not pressure the 2024/25 election budget as the government is funding additional burdens introduced by The Elections Act 2022 and around half of the costs (attributable to PCC elections) are nationally funded.

For the fifth year running fees paid to the Returning Officer (which are shared with Deputy Returning Officers) have not been increased.

## 1. Decision/s to be made

- 1.1 That the schedule of fees and disbursements for Principal Area and Parish elections (attached at **Annex A**) be adopted for 2024/25.

## 2. Why is the decision needed?

### Fees and Disbursements

- 2.1 Section 35(4) of the Representation of the People Act 1983 requires the Council to pay all expenditure properly incurred by the Returning Officer in relation to holding an election. Costs incurred by the Council in administering Principal Area and Parish elections are met by the Council itself and it is therefore appropriate to set a financial framework.

## 2. Consultation and Scrutiny

- 2.1 Consultation has been undertaken with the Council's appointed Returning Officer (Sharon Bridglalsingh), who is content with the current schedule of fees and disbursements. Returning Officer fees have not been increased.

## 3. Implications of the decision

Financial	Y	Human rights, equalities, diversity	N
Legal	Y	Policies or Council Plan	N
Communication	N	Procurement	N
Energy Efficiency	N	Workforce	N

### a) Financial implications

Appropriate new burdens funding was allocated to cover the costs of new Election Act 2022 provisions which alongside the election pressure agreed as part of the 2024/25 budget, and national funding will be sufficient to cover fees for polling station staff. A lower Council budget has been set for May 2024 elections, given that the PCC element is reclaimable from the consolidated fund.

### b) Legal implications

Section 35(4) of the Representation of the People Act 1983 requires the Council to pay all expenditure properly incurred by a Returning Officer in relation to the holding of an election. Although not explicitly required, a scale of fees may be fixed by an authority for the conduct of elections and must not be exceeded by the Returning Officer. Setting an agreed framework, provides a safeguard to the Council in relation to its legal duties.

## 4. Alternatives

### To reduce, or increase fees

- 5.1 It is not recommended to reduce fees as it would pose a risk to the Returning Officer's ability to recruit and appoint suitable Presiding Officers, some of whom are concerned about the significant new responsibilities.

5.2 It is also not recommended to increase fees significantly without further consultation with officers, as if these exceed the pay bands set by the ECU, then the Council will not be able to reclaim pay in excess of the bands, for the PCC element of the 2024 polls.

## 5. Timetable for implementation

6.1 If adopted, the schedule of fees and disbursements will be effective from 1 April 2024.

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## Annexes

Schedule of Returning Officer's Fees and Disbursements 2024/25

## Background Papers

None