

COUNCIL:

31 JANUARY 2019

REPORT OF CORPORATE DIRECTOR RESOURCES

**APPOINTMENT OF ELECTORAL REGISTRATION OFFICER AND
RETURNING OFFICER**

Reason for this Report

1. The Council's current Electoral Registration Officer (ERO) and Returning Officer (RO) is retiring from the Council in April 2019. The Council needs to make an appointment to these two statutory roles in order that there is continuous cover for these functions.

Background

2. In Wales, the Council of every County/County Borough is required to appoint an officer of the Council to be the Electoral Registration Officer for any constituency or part of a constituency coterminous with or situated in the area of the Council. The ERO is the person with statutory responsibility for the creation and maintenance of the register of electors and the absent voters list.
3. In Wales, the Council of every County/County Borough is also required to appoint an officer of the Council to be the Returning Officer for County/County Borough Council and Community Council elections within the area of the Council. The RO is the person who has the overall responsibility for the conduct of elections. The RO may appoint one or more persons to discharge all or any of his/her functions while at an election, the Returning Officer may appoint election specific deputies.
4. Legislation requires that the duties of the Returning Officer at a Parliamentary election are to be discharged by the appointed Electoral Registration Officer.
5. Returning Officers at other elections and referenda are determined by these appointments or designated by the appropriate Secretary of State.

Issues

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

employee of the council. Currently the roles are held by the Corporate Director Resources due to her extensive experience of election and registration work although it is noted that the vast majority of councils in Wales have appointed their Heads of Paid Service to undertake both roles. This is also the position that is increasingly favoured by the Electoral Commission and reflected in their performance monitoring arrangements

7. It is therefore proposed that the council's Chief Executive undertakes these roles for Cardiff Council on the retirement of the Corporate Director Resources.

Legal Implications

8. The appointment of Electoral Registration Officer is required by Section 8 of the Representation of the People Act 1983, as amended.
9. The appointment of Returning Officer by Section 35 of the Representation of the People Act 1983, as amended.

Financial Implications

10. There are no additional costs arising from the recommendations in this report with any costs that may be incurred in relation to the roles of Electoral Registration Officer and Returning Officer being met in the usual manner. All elections and referenda apart from local elections are funded from external grants while the costs of local elections are funded by the council within budgets built up over the term of an administration.

RECOMMENDATIONS

Council is recommended to:

1. approve the appointment of the Chief Executive as Electoral Registration Officer for the constituencies contained within the area of the City and County of Cardiff with effect from 3 April 2019;
2. approve the appointment of the Chief Executive as Returning Officer for the election of County Councillors and Community Councillors within the area of the City and County of Cardiff, with effect from 3 April 2019.

CHRISTINE SALTER
Corporate Director Resources
25 January 2019