

Council Report

Ward(s) affected: All

Report of Director of Resources

Author: John Armstrong (Democratic Services Manager)

Tel: 01483 444102

Email: john.armstrong@guildford.gov.uk

Lead Councillor responsible: Matt Furniss

Tel: 07891 022206

Email: matt.furniss@guildford.gov.uk

Date: 9 May 2017

Parliamentary Elections – 8 June 2017: Appointment of Electoral Registration Officer and Acting Returning Officer

Recommendation:

- (1) That, for the period 1 June to 9 June 2017 inclusive, Sue Sturgeon be re-appointed as an officer of the Council specifically to undertake the role of Electoral Registration Officer, to enable her to continue to fulfil the duties of Acting Returning Officer for the Parliamentary elections scheduled for 8 June 2017.
- (2) That, following 9 June 2017, the role of Electoral Registration Officer and Returning Officer shall revert back to the Managing Director in accordance with arrangements approved by the Council on 26 October 2016.

Reason for Recommendation:

To facilitate the continuous appointment of Sue Sturgeon as Acting Returning Officer and Electoral Registration Officer for the forthcoming Parliamentary elections scheduled for 8 June 2017.

1. Background

- 1.1 At its extraordinary meeting on 26 October 2016, the Council approved the appointment of the Managing Director as the Council's Electoral Registration Officer (ERO)¹, and Returning Officer (RO) for election of borough and parish councillors², as it was the usual practice in most councils for the Chief Executive/Managing Director to hold the roles of ERO and RO.
- 1.2 The ERO is responsible for the preparation and maintenance of the electoral register for any parliamentary constituency or part of a constituency within its area.
- 1.3 At its meeting on 8 February 2017, the Council agreed, on the recommendation of the Employment Committee, to appoint James Whiteman as the Council's Managing Director, with effect from 1 June 2017, upon the retirement of Sue Sturgeon on 31 May 2017.

¹ in accordance with Section 8(2)(a) of the Representation of the People Act 1983

² in accordance with Section 35(1) of the 1983 Act

- 1.4 On 19 April 2017, more than two thirds of MPs in the House of Commons voted in favour of bringing forward the next scheduled Parliamentary election date of 2020 to Thursday 8 June 2017, under the provisions of Section 2 of the Fixed Term-Parliaments Act 2011.

2. Proposal

- 2.1 Preparations for the Parliamentary election in Guildford have already commenced with Sue Sturgeon discharging her duties as ERO and Acting RO³. Unless the Council agrees otherwise, following Sue Sturgeon's retirement on 31 May 2017, James Whiteman would assume the responsibilities of ERO and Acting RO with effect from 1 June 2017 when he formally takes up the Managing Director appointment.
- 2.2 However, in the interests of continuity and, following discussions with the Leader and Deputy Leader of the Council, it was felt by both Sue Sturgeon and James Whiteman that Sue Sturgeon should continue as the ERO and Acting RO until after the declaration of the result of the election in the Guildford Constituency on Friday 9 June 2017. James Whiteman would take up the Managing Director role on 1 June 2017, as previously agreed.
- 2.3 The ERO must be an officer of the Council and in order to safeguard the situation Sue Sturgeon will be re-employed by the Council on a zero hours contract for the period between 1 and 9 June 2017. As Acting RO, Sue Sturgeon will be remunerated for the work undertaken in that capacity, such sum being paid from central government funds in the form of a scale fee.
- 2.4 Following the declaration of the result on 9 June 2017, Sue Sturgeon's employment with the Council would be terminated and James Whiteman would assume the role of ERO (and RO) with immediate effect.

3. Financial Implications

- 3.1 There are no financial implications for the Council. The Acting RO is paid from central government funds on a scale fee basis and no separate salary or remuneration is payable by the Council in respect of the post of Electoral Registration Officer.

4. Legal Implications

- 4.1 These are set out in the report

5. Human Resource Implications

- 5.1 There are set out in the report.

6. Background Papers

None

7. Appendices

None

³ Under Section 28(1) of the 1983 Act, the returning officer for parliamentary elections in Guildford is the High Sheriff, but the duties of the returning officer must be carried out, as Acting RO, by the ERO.