

Report to Council

Ward(s) affected: n/a

Report of: Strategic Director: Transformation and Governance

Author: John Armstrong

Tel: 01483 444102

Email: john.armstrong@guildford.gov.uk

Date: 10 October 2023

# **Appointment of Returning Officer and Electoral Registration Officer**

## **1. Executive Summary**

- 1.1 Following the process for appointment of the Joint Chief Executive for Guildford and Waverley in 2021, both councils appointed Tom Horwood to that post, and he was also appointed as Guildford and Waverley's Returning Officer and Electoral Registration Officer. In December 2022, Waverley Borough Council appointed Robin Taylor as Waverley's Returning Officer and Electoral Registration Officer.
- 1.2 In the light of Tom Horwood's recent announcement of his proposed departure as Joint Chief Executive, it will be necessary to put in place arrangements for the appointment of Guildford's Returning Officer and Electoral Registration Officer.

## **2. Recommendation**

- 2.1 To appoint, with effect from 1 November 2023, Susan Sale, Joint Executive Head of Legal & Democratic Services, as the Returning Officer for local elections, the Acting Returning Officer for UK Parliamentary Elections, and the Electoral Registration Officer.

### **3. Reason for Recommendation**

- 3.1 The Council is required to have in place appropriate statutory officers, including the appointment of a Returning Officer for the administration of elections and an Electoral Registration Officer for the registration of electors.

### **4. Background**

- 4.1 The Returning Officer (RO) is the person who has the overall responsibility for the conduct of elections in Guildford. Section 35 of The Representation of the People Act 1983 requires the Council to appoint an officer of the Council to be the Returning Officer in local elections. It is the RO's duty to organise and conduct elections.
- 4.2 The RO is an officer of the Council, but the role of the RO is a personal responsibility independent and separate from their duties as an employee of the Council. The RO may appoint one or more persons to discharge all or any of their functions.
- 4.3 Similarly, Section 8 of the 1983 Act requires the Council to appoint an officer of the Council to be the Electoral Registration Officer (ERO). The ERO is the person with the statutory responsibility for the creation and maintenance of the register of electors. The ERO is also the Acting Returning Officer for UK Parliamentary Elections. The High Sheriff of Surrey is the Returning Officer at Parliamentary elections as an honorary position.
- 4.4 The ERO is an officer of the Council, but the role of ERO is also a personal responsibility, independent and separate from their duties as an employee of the Council. The roles of RO and ERO are typically combined and performed by a single person. The appointment to these roles is a function of the Full Council.
- 4.5 Following the process for appointment of the Joint Chief Executive for Guildford and Waverley in 2021, both councils appointed Tom Horwood to that post, and he was also appointed as Guildford and Waverley's RO and ERO. In December 2022, Waverley Borough Council appointed Robin Taylor as Waverley's RO and ERO.

- 4.6 In the light of Tom Horwood's recent announcement of his proposed departure as Joint Chief Executive, it will be necessary to put in place arrangements for the appointment of Guildford's RO and ERO.

## **5. Financial Implications**

- 5.1 When performing their role, the RO is remunerated by an established schedule of fees that are discussed by Surrey councils and with the Government, and recouped, dependent on the election, from the county council and parish councils (in respect of local elections) and from the Government as appropriate (in respect of Police & Crime Commissioner elections and national elections and referenda). The RO's fee for organising and conducting Borough Council elections is paid by the Council.
- 5.2 There are no additional financial implications associated with this proposal.

## **6. Legal Implications**

- 6.1 The Council is required by Sections 8 and 35 of the Representation of People Act 1983 to appoint, respectively, an ERO and RO for local elections (and Acting Returning Officer for UK Parliamentary Elections).

## **7. Human Resource Implications**

- 7.1 There are no human resource implications associated with this proposal.

## **8. Background papers**

None

## **9. Appendices**

None