

**COUNCIL  
21 JANUARY 2021**

**PART 1 – PUBLIC DOCUMENT**

**TITLE OF REPORT: ELECTORAL SERVICES – SCALES OF FEES 2021/22**

REPORT OF THE SERVICE DIRECTOR - RESOURCES

EXECUTIVE MEMBER: SCALE OF FEES - NON-EXECUTIVE FUNCTION.  
(ELECTORAL SERVICES: THE LEADER OF COUNCIL)

COUNCIL PRIORITY: BE A MORE WELCOMING AND INCLUSIVE COUNCIL

**1. EXECUTIVE SUMMARY**

1.1 To agree the Scale of Fees for electoral events held during 2021/22.

**2. RECOMMENDATIONS**

2.1. That the Council be recommended to agree the Scale of Fees for 2021/22 as set out in Appendix A.

**3. REASONS FOR RECOMMENDATIONS**

3.1. To enable the Council to remunerate the Returning Officer and the staff employed to carry out tasks during electoral events and to be open and transparent regarding other payments. Previously this was dealt with under Delegated Decision prepared by the Democratic Services Manager for the then Returning Officer (the Chief Executive). Following the Council decision to appoint the Democratic Services Manager as the Returning Officer, this is no longer appropriate.

**4. ALTERNATIVE OPTIONS CONSIDERED**

4.1. For the scales of fees to remain at the 2020/21 rates or to increase some areas to reflect other local rates.

**5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS**

5.1. Hertfordshire local authorities form a Hertfordshire County Group and an informal consultation exercise was recently undertaken in respect of the fees paid by each, as all neighbouring authorities are considered to be competitors when recruiting staff.

5.2. The fees paid by the four Hertfordshire authorities that directly border North Hertfordshire District Council (NHDC) are referenced in paragraph 10 (the names of the respective authorities have not been provided).

- 5.3. There being no county agreement as to the scale of fees for local elections, an informal consultation was undertaken with neighbouring local authorities prior to the agreement of the 2021/2022 Scale of Fees. The suggestion of a county agreement has been muted. However, as some authorities would need to lower or raise their fees as well as those authorities closer to London needing to pay more to compete with the London authorities (whereas NHDC doesn't need to pay the London inflation), there has been no appetite between the authorities to proceed with a county agreement.

## **6. FORWARD PLAN**

- 6.1 This report does not contain a recommendation on a key Executive decision and has therefore not been referred to in the Forward Plan.

## **7. BACKGROUND**

- 7.1. Each Local Authority is required to appoint one of its officers as Returning Officer (RO). The RO is appointed in an independent capacity by the Council to organise and run elections free from the political structure of the authority. Councils must provide their RO with the resources they need to run elections. This includes the cost of recruiting and paying staff to act as Presiding Officer and Poll Clerk, along with any other ancillary staff necessary for the success of a poll.
- 7.2. For national polls the government issue a Fees and Charges schedule which identifies for each authority a "maximum recoverable amount" along with a fee which may be claimed by the appointed RO for the rendering of their services. The RO will pay their appointed staff from the monies provided by government and will account for their expenditure by way of a return to the Election Claims Unit at the Cabinet Office.
- 7.3. No such formal structure exists for local elections, which is why a local scale of election fees is required to cover staff costs associated with the administration of elections and other electoral events, e.g. Neighbourhood Planning Referendums or Town/Parish Poll.

## **8. RELEVANT CONSIDERATIONS**

- 8.1 The RO appoints circa 300 temporary staff for local elections and will need to do so for the elections to be held in May 2021. The informal 'consultations' and research has indicated that the fees are below average when compared with neighbouring authorities, particularly in relation to polling station staff and therefore there has been a moderate increase to these roles. In previous years there has tended to be a minimal percentage increase or an increase aligned with the National Joint Council Local Government Services pay agreement. Where there is no comparable role from the research or it is felt that the fee is competitive there has been either no increase, or an increase made in line with the National Joint Council for Local Government Services pay agreement for 2020/21.

- 8.2 A greater than inflation rise has been applied to the following fees: Polling Station Inspector, Presiding Officer and Poll Clerk. Although part of the increase is because previous payments relating to travel and ballot box conveyance have been rolled into the fee. The table below shows how the proposed 2021/22 fees compare to the 2020/21 fees for neighbouring Hertfordshire Authorities. Where fees are already in line with (or above) comparator Authorities then the amount has been frozen. This applies to the Postal Vote Supervisor and assistant roles, that are also shown in the table below. It is very difficult to provide a meaningful comparison for most of the other roles, as other Authorities set them on a different basis (e.g. hourly amount versus fixed amount).

Authority	Poll Station Inspector (total)	Presiding Officer (total)	Poll Clerk (total)	Postal Votes Supervisor (per hour)	Postal Votes Assistant (per hour)
NHDC (2020/21 rate)	227.9	227.9	136.8	25	12.5
NHDC (proposed 2021/22)	250	250	150	25	12.5
Comparator A (2020/21 rate)	266	287	184	15.92	10.61
Comparator B (2020/21 rate)	300	265	165	12	10
Comparator C (2020/21 rate)	Variable	225	160	15	10
Comparator D (2020/21 rate)	Variable	251	136	20	10

## 9. LEGAL IMPLICATIONS

- 9.1 The Democratic Services Manager has been appointed as RO as per section 14.6. 13 of the Constitution.
- 9.2. Section 36 of The Representation of The People Act 1983 (RPA) provides that [at (4), (5), (5A)] all expenditure properly incurred by a Returning Officer in relation to the holding of a district, parish or community election be paid by that council, or parish or community council for which the election is held.
- 9.3. An RO is entitled to recover charges in respect of services rendered or expenses incurred for elections, as per section 29 RPA.
- 9.4 There is no specific delegation to set fees for elections. The RO has responsibility for elections, although setting their own fees is not recommended. An officer may under 14.6.2(e) of the Constitution “...always refer a delegated decision to the Cabinet or Council or any of their respective Committees rather than make the decision”; section 14.5.1 further provides “All those functions relating to elections” falls to the Council as an effective default.

## 10. FINANCIAL IMPLICATIONS

- 10.1. The fees for elections are considered in the budget setting process. In the case of Parish elections, each Parish is charged for its election.

- 10.2. To provide an indication of the financial impact of the proposals – each Polling Station requires a Presiding Officer and there are 78 Polling Stations (to cover the entire district). On the basis that we do not share a Presiding Officer over two stations (which is only done out of necessity rather than preference) this would result in an additional £1.7k being identified within the budget.
- 10.3 The Electoral Commission recommends ratios when allocating electors and staff to Polling Stations which dictates that a Presiding Officer must be accompanied by either 1, 2 or 3 Poll Clerks. To cover the entire district the RO would need to employ circa 114 Poll Clerks – this would result in an additional £1.5k being identified within the budget. This however does not account for the extra staff that are likely to be required to accommodate operating Polling Stations in Covid conditions.
- 10.4 The Electoral Commission also recommends the appointment of Polling Station Inspectors who visit and inspect Polling Stations on behalf of the RO. There are usually ten recruited which would result in an additional £221 being required within the budget.
- 10.5 In terms of the costs of elections, these are generally met by the body or bodies whose representatives have been elected. For example, the UK Government pays for UK Parliamentary elections and North Hertfordshire District Council pays for the cost of local elections to the District Council. Where elections are combined, for example, a local election and a Police Crime and Commissioner Election, the costs are shared.
- 10.6 The elections in May 2021 will ultimately cost more due to the likely need to operate in Covid-19 conditions – i.e. the Count will take longer as there will be less staff allowed within the venue to maintain social distancing, the postal opening and verification process will take longer for the same reasons, plus the anticipated increase in postal vote applications, personal protective equipment (PPE) will need to be purchased - the level of PPE required will determine the costs. The Cabinet Office have confirmed that Covid related costs can be apportioned over the number of elections each authority has – for North Hertfordshire it would be three ways as there are Police Crime and Commissioner elections, Hertfordshire County Council elections as well as local elections.

## **11. RISK IMPLICATIONS**

- 11.1. The Council needs to ensure it complies with statutory requirements. One element of this is to ensure that it has sufficient staff required to operate an election. If the Council does not pay a competitive rate it could become increasingly difficult to staff elections based on fees.

## **12. EQUALITIES IMPLICATIONS**

- 12.1. There are no equalities implications.

## **13. SOCIAL VALUE IMPLICATIONS**

- 13.1 The Social Value Act and “go local” requirements do not apply to this report.

## **14. ENVIRONMENTAL IMPLICATIONS**

14.1. There are no known Environmental impacts or requirements that apply to this report.

## **15. HUMAN RESOURCE IMPLICATIONS**

15.1 There are no human resource implications, other than those set out.

15.2 NHDC previously used the services of Selima for its electoral payroll system. Since the Council moved to a new payroll provider - Liberata UK Ltd provides its payroll service, the electoral services payroll has also been absorbed into this contract. Staff used to resource elections will be required to submit claims via the self-service online portal.

15.3 To make the claims process easier there have been some elements absorbed into one role i.e 'conveyance of ballot box' and 'travel expense' has been included within the Presiding Officer and Poll Clerk fees.

## **16. APPENDICES**

16.1 Appendix A - Electoral Services Scale of Fees 2021/2022.

## **17. CONTACT OFFICERS**

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## **18. BACKGROUND PAPERS**

18.1 None.