

MAIDSTONE BOROUGH COUNCIL

REPORT OF THE DEMOCRACY AND GENERAL PURPOSES COMMITTEE HELD ON 21 NOVEMBER 2022

Appointment of Returning Officer and Electoral Registration Officer

Issue for Decision

The issue for decision is the appointment of a new Returning Officer and Electoral Registration Officer following a staff restructure.

Recommendation Made

That the Council:

1. Appoint Angela Woodhouse, with immediate effect as the Returning Officer and Electoral Registration Officer for Maidstone Borough Council;
2. Appoint Ryan O'Connell as Deputy Electoral Registration Officer; and
3. Gives permission for the Monitoring Officer to amend the Constitution to Reflect these changes.

Reasons for Recommendation

- 1.1 In February 2022, Policy and Resources Committee considered and approved a new senior management structure. Within that structure was the proposal that the Director of Strategy, Insight and Governance take on the role of Electoral Registration Officer and Returning officer in recognition of a future need for greater resilience in statutory roles.
- 1.2 The Returning Officer (RO) is the person who has the overall responsibility for the conduct of elections in Maidstone Borough. 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.
- 1.3 It is the Returning Officer's general duty at elections to do all such acts and things as may be necessary for effectively conducting the election for example:
 - the nomination process for candidates and political parties
 - provision, administration, security and notification of polling stations
 - appointment of staff such as presiding officers and count staff
 - preparation and issue of all ballot papers
 - issue, receipt and counting of postal ballot papers
 - organising and delivering the count and declaration of results
 - receipt of all candidates' election expenses returns
 - presentation of final account and claiming appropriate funding from

- central government as prescribed
- retention of election documents.

- 1.4 The Returning Officer is an officer of the Council, however, the role of the Returning Officer is a personal responsibility independent and separate from their duties as an employee of the Council. This role is currently held by the Chief Executive. Members have raised the matter of succession planning. It is proposed that the Director of Strategy, Insight and Governance be appointed as the Returning Officer for Maidstone Borough Council. The Returning Officer may appoint one or more persons to discharge all or any of their functions. The Director of Strategy, Insight and Governance proposes to appoint the Democratic and Electoral Services Manager, Ryan O'Connell as Deputy Returning Officer. The Chief Executive can provide support and guidance to the Returning Officer and Deputy Returning Officer as part of their development.
- 1.5 The Electoral Registration Officer (ERO) is the person with the statutory responsibility for the creation and maintenance of the register of electors and the absent voters lists. This person takes responsibility for publishing a revised electoral register and issuing monthly alteration notices.
- 1.6 The ERO is an officer of the Council, however, the role of Electoral Registration Officer is a personal responsibility, independent and separate from their duties as an employee of the Council. The roles of Returning Officer and Electoral Registration Officer are typically combined and performed by a single person. These Officers and the Deputy Electoral Registration Officer are appointed by Full Council.
- 1.7 Following changes to the leadership structure and responsibilities implemented on 1 August 2022 it is proposed to make the appointment as set out in the recommendations. On 1 August 2022, Angela Woodhouse took on the role of Director of Strategy, Insight and Governance which includes responsibility for elections and the electoral registration service. For resilience it is recommended that the Democratic and Electoral Services Manager, Ryan O'Connell is appointed as Deputy Electoral Registration Officer.
- 1.8 The Director of Strategy, Insight and Governance, Angela Woodhouse has significant election experience having been appointed as a Deputy Returning Officer at elections since 2005 and acting as Count Manager since 2016, with responsibility for both Electoral Registration and Electoral Services within their remit.
- 1.9 Democracy and General Purposes Committee recommends the appointment of Angela Woodhouse as Returning Officer and Electoral Registration Officer and Ryan O'Connell as Deputy Electoral Registration Officer.
- 1.10 Angela Woodhouse has significant experience in elections and regularly deputises for the Chief Executive as Deputy Returning Officer as well as

holding service level responsibility for electoral services.

- 1.11 The restructure approved by the Policy and Resources Committee on 9 February 2022, sought to improve future resilience of a key statutory role by placing it with the new Director of Strategy, Insight and Governance. The appointment is aligned with the agreed restructure.

Alternatives considered and why rejected

Option 1 - Retain and confirm the present arrangement with the Chief Executive as Returning Officer and Electoral Registration Officer. However, this would not be in line with the previously agreed restructure and would not meet the reasons set out above.

Option 2 (Recommended) - In line with the previously approved restructure appoint the Director of Strategy, Insight and Governance Angela Woodhouse as Returning Officer and Electoral Registration Officer and the Democratic and Electoral Services Manager Ryan O'Connell as Deputy Electoral Registration Officer.

Appendices

None.

Background Papers

None.