

# Council

21 March 2023



**Reading**  
Borough Council  
Working better with you

<b>Title</b>	Appointment of a Deputy Electoral Registration Officer
<b>Purpose of the report</b>	To make a decision
<b>Report status</b>	Public report
<b>Report author</b>	Michael Graham Assistant Director of Legal and Democratic Services
<b>Lead councillor</b>	Cllr Jason Brock Leader of the Council Cllr Liz Terry Lead Councillor for Corporate Services and Resources
<b>Corporate priority</b>	Not applicable, but still requires a decision
<b>Recommendations</b>	Council is asked to: 1. Designate the post of Legal Services Manager as the Deputy Registration Officer with full powers to act as Electoral Registration Officer in the absence of the Electoral Registration Officer.

## 1. Executive summary

- 1.1. In the run up to the Election in May 2023, and with the advent of Voter ID in Polling Stations, the Association of Electoral Administrators (AEA) has advised Electoral Registration Officers (ERO) that it is good practice for them to have a Deputy in place if one has not already been appointed. Reading BC does not currently have a Deputy ERO.
- 1.2. The Deputy ERO responsibility is to carry out the duties and powers of the ERO if the ERO is unable to act personally.
- 1.3. Unlike Returning Officers, the ERO cannot appoint a deputy themselves, therefore it is a Council decision to appoint a Deputy ERO.

## 2. Policy context

- 2.1. The Council's Corporate Plan has established three themes for the years 2022/25. These themes are:
  - Healthy Environment
  - Thriving Communities
  - Inclusive Economy
- 2.2. These themes are underpinned by "Our Foundations" explaining the ways we work at the Council:
  - People first
  - Digital transformation
  - Building self-reliance
  - Getting the best value

- Collaborating with others
- 2.3. Full details of the Council's Corporate Plan and the projects which will deliver these priorities are published on the [Council's website](#). These priorities and the Corporate Plan demonstrate how the Council meets its legal obligation to be efficient, effective and economical.
  - 2.4. There is nothing in the Corporate Plan or any other Council Policy which has a bearing on this decision.

### **3. The proposal**

- 3.1. Under the Representation of the People Act 1983 the Council must appoint an Officer to the position of Electoral Registration Officer (ERO). This position is responsible for maintaining the Electoral Register for the area. The appointment to the position is dealt with under the Council's Constitution where the Assistant Director for Legal and Democratic Services is designated to this position of ERO (and also Returning Officer) at Part 3 of the Council's Constitution.
- 3.2. One of the roles of the Electoral Registration Officer is to hold a hearing in respect of any objections received for an application to be included on the Register of Electors. Objections can be made at anytime during the life of the Register. These objections may be in relation to an existing elector as well as new applications. The legislation provides that these hearings must be held no earlier than the third day and no later than the seventh day after the notice of objection was received. If a hearing is not held within this timescale then the Council will be in breach of the legislation.
- 3.3. Since the Council does not currently have a Deputy Electoral Registration Officer then there is a risk the Council could be in breach of the legislation if the Electoral Registration Officer is absent for a period when a hearing needs to take place. Therefore, it is recommended to Council that a permanent appointment is made to this position in order to reduce that risk.
- 3.4. Any deputy appointed should have the skills and knowledge required to carry out the functions that they have been assigned. Appointments should be made in writing and include clear details of the full or particular powers that the deputy is authorised to exercise on behalf of the ERO. In particular, it will be useful to appoint deputies to undertake quasi-judicial procedures, such as hearings of registration applications, objections and reviews. The acceptance of any such appointment should also be made in writing.
- 3.5. It is proposed that the Deputy ERO appointed by Council will have full powers to act in the absence of the ERO.
- 3.6. It is proposed that the post of Legal Services Manager will also be the Deputy Electoral Registration Officer. The current post-holder is Shaidah Ramzan who joined the Council in January this year, and is able to discharge the duties of the role. The Legal Services Manager is also Deputy Monitoring Officer (this is a personal appointment of the Monitoring Officer).

### **4. Contribution to strategic aims**

- 4.1. This decision does not contribute directly to the Council's strategic aims, however by ensuring that there is always an Electoral Registration Officer available to deal with disputed registrations, then the Council will be providing a good service to the residents of the Borough.

### **5. Environmental and climate implications**

- 5.1. The Council declared a Climate Emergency at its meeting on 26 February 2019 (Minute 48 refers).
- 5.2. There are no environmental or climate implications arising from this decision.

## **6. Community engagement**

- 6.1. There has been no consultation, community engagement or publicity for this matter. It is not required.

## **7. Equality impact assessment**

- 7.1. Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to—
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act
  - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
  - foster good relations between persons who share a relevant protected characteristic and persons who do not share it
- 7.2. An Equality Impact Assessment (EIA) is not relevant to the decision.

## **8. Other relevant considerations**

- 8.1. There are no other relevant considerations to report.

## **9. Legal implications**

- 9.1. Covered in section 3 above.

## **10. Financial implications**

- 10.1. There are no financial implications arising from this report.

## **11. Timetable for implementation**

- 11.1. The decision will be implemented immediately if Council approves and will be confirmed in writing with the postholder.

## **12. Background papers**

- 12.1. There are none.