

RECORD OF OFFICER DECISION

APPROVAL FOR Election staffing fees

Decision made

To approve the revised scale of fees and charges for election roles with immediate effect and agree that the council adopt fees and charges in line with MHCLG guidance moving forwards.

To approve moving to a pence per elector payment model for Returning Officer payments in line with other neighbouring authorities to make administration of elections clearer. This will be 5.3p per elector for Returning Officer fees with immediate effect moving forwards.

To approve a fee of £100 for the Deputy Returning Officer for by-elections

The Returning Officer (referred to as Counting Officer for referendums) is appointed by the local authority to conduct elections and referendums within the local authority area.

The Elections Act 2022 introduced a raft of legislative changes that were implemented into elections in a phased approach from 2023 with the final tranche effective for elections held in May 2024 onwards. The changes placed more responsibility and additional duties on polling station staff and this was recognised by a review of pay rates for national elections by Ministry Housing, Communities and Local Government (MHCLG, formally Department of Levelling Up, Housing and Communities). MHCLG evaluated each election role and allocated a banding and pay range for Returning Officers to use for the Police and Crime Commissioner elections in May 2024 and the subsequent UK parliamentary elections. The pay ranges will be reviewed on an annual basis in line with MHCLG banding.

Whilst local elections are independent from national elections, the council will adopt the same pay rates for all elections, NPRs, by-elections etc for consistency and to ensure we are competitive, and rates meet minimum wage requirements. This would also be practicable should national elections be combined with local elections.

The existing scheme is outdated and does not reflect all the job roles, pay rates and services required to run an election/referendum. The new scheme addresses this and provides a clear and transparent scale of election/referendum costs. It also captures costs for all roles carried out during an election.

The current fee for DROs covering by-elections is £40. This is not reflective of the responsibility of the role being carried out on behalf of the Returning Officer, the evening work and the travel required across Wiltshire. Benchmarking against neighbouring authorities demonstrates that £100 is an appropriate and fair payment for this role.

Background

1. As the Electoral Registration Officer, I am responsible for matters relating to running efficient and legal elections across Wiltshire on behalf of Wiltshire Council. The power to make a decision in respect of this matter is delegated to me pursuant to Wiltshire Council's Constitution.

Reason for decision

2. Wiltshire Council regularly monitors the scale of fees against those of other councils, though it is hard to compare the scale like for like due to few councils having the geographical or electorate size of Wiltshire. Prior to the 2024 Police and Crime Commissioner Election, MHCLG (formerly DLUHC) issued clear guidance on election roles and pay bands for local authorities to use when paying election staff. Fees and roles have been reviewed against these with additional job roles being identified and included in the fees and charges scheme for transparency and to fully account for the costs of elections.
3. To ensure consistency across all elections Wiltshire runs, we will adopt these fees for all elections as this would also be practicable should national elections be combined with local elections. We will increase our scale of fees and charges for election staff in line with the MHCLG pay banding, meeting minimum wage requirements.
4. Providing a competitive hourly rate will help recruit the 1,500 plus staff required to run elections in Wiltshire and ensure a consistent approach for staff working elections throughout the year.
5. With regards the approach to the Returning Officer fee, the council currently pays the Returning Officer a fee for the first 500 electors per division, followed by a separate fee for subsequent 250 electors, another fee for postal voters and also for poll cards. This is very time consuming to administer and calculate.
6. It is proposed to move to a pence per elector payment for Returning Officer fees. There is no proposed increase in payment for the Returning Officer and based on the current payment schedule the fee per elector will be 5.3p moving forwards with immediate effect.
7. The payment for DROs of £40 is outdated and does not factor in the responsibility of the role or the travel time/ evening working that goes alongside, often to rural locations.
8. I confirm that in making this decision I have considered the following in line with Wiltshire Council's Constitution: **(Please insert 'Yes' / 'No' / 'Not Applicable' and any other comments necessary to evidence the issue identified has been addressed)**

Key decision requirements	Yes
Views of relevant cabinet member(s), committee chairman, area board(s)	Yes
Consideration of the area boards and delegated decision checklist for officers on the issue of when and how to involve local councillors and area boards in decisions about local services	N/A
Implication of any council policy, initiative, strategy or procedure	Yes
Consultation in accordance with the council's consultation strategy	Yes
Range of options available	Yes

Staffing, financial and legal implications	Yes
Risk assessment	Yes
Involvement of statutory officers and/or directors	Yes
Regional or national guidance from other bodies	Yes
The council's constitution	Yes
This contract is suitable for execution under the e-signature process.	Yes

Conflict of Interest

9. The Electoral Registration Officer is also the Returning Officer. However, this decision does not impact the salary of the Returning Officer as no increase is proposed so therefore no conflict of interest.

Other options considered

10. Maintaining separate fees for national and local elections was considered but this was discounted as it will be difficult to recruit staff without a consistent approach to fees and charges. It will also be difficult to manage if national elections are combined with national elections
11. Retaining the existing payment system for the Returning Officer. This was discounted due to the time taken to calculate payments for each division. A move to a pence per elector system will significantly reduce this demand.
12. Pay DROs the same pence per elector fee as the Returning Officer for by-elections. This was discounted due to the size of the electorate for some parishes.

Made by:



Lucy Townsend, Chief Executive and Electoral Registration Officer

Date: 05.09.2024