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<b>REPORT TO:</b>	<b>COUNCIL</b>	<b>AGENDA ITEM: 12</b>
<b>DATE OF MEETING:</b>	<b>22 FEBRUARY 2023</b>	<b>CATEGORY: DELEGATED</b>
<b>REPORT FROM:</b>	<b>CHIEF EXECUTIVE</b>	<b>OPEN</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>FRANK MCARDLE CHIEF EXECUTIVE</b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>APPOINTMENT OF RETURNING OFFICER AND ELECTORAL REGISTRATION OFFICER</b>	<b>REF:</b>
<b>WARD(S) AFFECTED:</b>	<b>ALL</b>	

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## **1.0 Recommendation**

- 1.1 To appoint Ardip Sandhu, with effect from 23 February 2023, as the Returning Officer and Electoral Registration Officer for South Derbyshire District Council, to ensure legislative requirements are met.

## **2.0 Purpose of Report**

- 2.1 Sections 8 and 35 of the Representation of the People Act 1983 require the Council to appoint an Electoral Registration Officer and Returning Officer respectively.
- 2.2 Under Section 52(2) of the Representation of the People Act 1983, the Council may appoint a Deputy Electoral Registration Officer.
- 2.3 The purpose of this report is to make appointments to these roles.

## **3.0 Detail**

- 3.1 The Returning Officer is the person who has the overall responsibility for the conduct of elections in South Derbyshire. 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 Returning Officer's duty to organise and conduct elections.
- 3.2 The Returning Officer is an officer of the Council but the role of the Returning Officer is a personal responsibility independent and separate from their duties as an employee of the Council. The Returning Officer may appoint one or more persons to discharge all or any of his/her functions relating to an individual election. Such a designation does not remove personal liability from the Returning Officer appointed by Council. Ardip Sandhu is the currently appointed Returning Officer.
- 3.3 The Electoral Registration Officer is the person with the statutory responsibility for the creation and maintenance of the register of electors and the absence voters lists. This person takes responsibility for publishing a revised electoral register and issuing monthly alteration notices

- 3.4 The Electoral Registration Officer is an officer of the Council but the role of Electoral Registration 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 are appointed by Full Council.
- 3.5 The existing Electoral Registration Officer (Frank McArdle, Chief Executive) retires on 31 March 2023. Therefore, it is proposed to make the appointment as set out in the recommendation.

#### **4.0 Financial Implications**

- 4.1 None directly arising from this report.

#### **5.0 Corporate Implications**

- 5.1 The efficient conduct of the electoral registration process and elections is one of the highest-profile functions that the Council undertakes. Any challenge to these processes could result in adverse publicity and legal sanction against the Returning Officer personally and the Council.
- 5.2 It is therefore essential that Council designates an officer to cover the roles of Electoral Registration Officer and Returning Officer.

#### **6.0 Equity and Equalities**

- 6.1 There are no immediate equity or equalities implications arising from this report. However, amongst the roles undertaken by the Electoral Registration Officer and Returning Officer are those of ensuring that equalities issues are addressed in the running of electoral registration and elections (e.g. access to Polling Stations).

#### **7.0 Background Papers**

- 7.1 No background papers were used in the preparation of this report.