

## **SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Council **DATE:** 26<sup>th</sup> November, 2019

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**WARD(S):** All

### **PART I** **FOR DECISION**

#### **Scale of Charges Relating to Local Government Elections**

##### **1 Purpose of Report**

To fix the scale of fees to govern the proper expenditure by the Returning Officer for Borough and Parish Council elections as set out in the Appendix to this report pursuant to Section 36(4) and 36(5) of the Representation of the People Act 1983.

##### **2 Recommendation**

The Council is requested to resolve:

- (a) That the scale of fees attached at Appendix A to this report be fixed for Borough and Parish Council elections.
- (b) That the fee scale be updated annually in line with paragraph 4.4.

##### **3 Other Implications**

###### **(a) Financial**

The setting of transparent fees contributes to the effective management of resources and there is a requirement for the council to agree the scale of fees for Borough and Parish Council elections. Parish councils are recharged by the Council for the running elections on their behalf. There is no change to the existing budget and charging arrangements in place as a result of this report. An agreed fee scale adds transparency to the electoral administration process and removes doubt of what can legitimately be paid to officers responsible for, and working within, the process

###### **(b) Human Rights Act and Other Legal Implications**

There are no Human Rights Act Implications associated with this report.

The Representation of the People Act 1983 (the 1983 Act), Section 36 (4) requires the council to cover all expenditure incurred by the returning officer (RO) in the holding of an election for all or any seats on it. The Council is required to place the services of its staff at the disposal of the Returning Officer to help run the election. The council may set scales of expenditure which the returning officer must not

exceed. The fees for conducting Parliamentary, European Parliamentary, Police and Crime Commissioner elections and national referenda are regulated by the (Acting) Returning Officers'/Counting Officers' Fees and Charges Orders made by the Government.

#### 4 **Supporting Information**

- 4.1 In accordance with the provisions of various Acts of Parliament including The Representation of the People Act 1983, together with various statutory Instruments, all 'National' Elections and Referendums are funded centrally via the relevant Government Department. The funding body agree the levels of fees and expenses that allow a budget to be created to enable the (Acting) Returning Officer/Counting Officer to run the Election/ Referendum in accordance with the relevant legal provisions.
- 4.2 For Local Government Elections the RO is paid a fee and it is usual for the above practice to be replicated by reference to a similar scale of election fees adopted and approved by the Council. Even though the RO may be an employee of the Council at the time of an election their responsibility is completely separate.
- 4.3 An adopted formal scale of fees for its elections would bring the authority into line with most other authorities, adopt accepted good practice, provide transparency to the payments made to staff involved with an election and assist with setting the overall budget required for the administration of elections for the Council.
- 4.4 Once adopted, it is good practice for the scale of fees to be updated annually by reference to a given formula. For example, the fees for presiding officers and poll clerks are often set at the rate prescribed by Government for parliamentary elections. This rate could be used as the benchmark for the future. The remainder of the fees could be up-rated annually in line with the pay award to staff at the Council.
- 4.5 The Council has in the past used an approved scale of election fees for payments to staff and the fee scale has been updated over the years to keep pace with Government prescribed rates, where available, payments made by neighbouring authorities, custom and practice and the need to attract staff to work on various electoral events such as the Count, polling station duties and so forth in any given year.
- 4.6 The opportunity has been taken to review the Council's scale of fees and consideration has been given to the fees and charges schemes adopted by other authorities in compiling the proposed fee scale to ensure best practice and transparency.

#### 5 **Appendix**

A - Fee Schedule

#### 6 **Background Papers**

None.