

**NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL CASTELL-NEDD PORT TALBOT
COUNCIL**

24 APRIL 2019

REPORT OF THE CHIEF EXECUTIVE/RETURNING OFFICER

SECTION A – MATTER FOR DECISION

WARDS AFFECTED: ALL

APPOINTMENT OF A STANDING DEPUTY RETURNING OFFICER

Purpose of the Report

1. To seek agreement of Council to appoint to this role.

Background

2. The Wales Electoral Co-ordination Board (WECB), co-ordinated by the Electoral Commission, has recommended that Returning Officers appoint a standing deputy – not least because there has been a significant turnover recently of Chief Executives/Returning Officers and other senior staff dealing with elections across Wales.
3. This is a voluntary action (not a requirement); but a sensible one in my opinion - representing good practice and safe contingency planning. It was also an issue identified by a risk planning self-assessment tool that the WECB published last year.
4. This recommends that the individual should not be a Council's Elections Manager. However, a number of our senior officers already play a significant part in elections planning and delivery.

Legal Implications

5. Under Section 35(1A) of the Representation of the People Act 1983, the Chief Executive is designated as the Returning Officer for the County Borough Council and Community Council purposes. Different legislation designates [for example the Returning Officer (Parliamentary Constituencies) (Wales) Order 2007 and the National Assembly for Wales (Representation of the People) Order

2007] this role for Parliamentary Elections, Referendums, European Elections and Welsh Assembly Elections.

6. As such, the Returning Officer is personally responsible for all aspects of electoral administration including nominations, the distribution of poll cards and postal ballots, the conduct of the poll and the counting of the votes. These responsibilities being prescribed in statute and Electoral Commission Guidance.
7. The Constitution of Neath Port Talbot Council does not delegate the function of appointing a Deputy Returning Officer to the Returning Officer and therefore a decision of Council is required.

Financial Impact
Equality Impact Assessment
Workforce Impact

8. Not applicable/none of the above.

Risk Management

9. See paragraphs 2 and 3 above.

Consultation

10. External consultation on this matter is not required.

Recommendation:

That the Assistant Chief Executive, Mrs Karen Jones, be appointed the Council's Standing Deputy Returning Officer.

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