

Report of Head of Resources

FEES AND CHARGES FOR BOROUGH COUNCIL ELECTIONS

1 Purpose of report

This report asks members to consider an update to election fees and charges, which will bring them in line with national election funding arrangements and assist the council's budgeting process.

2 Executive summary

The current arrangements for fees and charges were last approved in September 2010, based on the legislation applied to national elections. Since then, methods for funding national elections have changed, and this report recommends a similar approach in respect of borough and parish council elections.

3 Appendices

Appendix A: current fees and charges for borough and parish elections.
Appendix B: proposed fees and charges for borough and parish elections.

4 Proposed action:

The committee is invited to RESOLVE to:

- 4.1 agree the costs, charges and expenses applicable to borough and parish council elections as set out in detail in appendix B.**
- 4.2 implement the revised fees from 1 April 2016 and amend them in line with local government staff pay awards until a further review is carried out by Resources Committee.**

5 Background

- 5.1** Budgets for Parliamentary, European Parliamentary, Police Commission, and national referendums are set by the government. Fees for county council elections are set by the county council; and fees for borough and parish council elections (for both of which the Chief Executive is the Returning Officer) are set by the borough council.
- 5.2** Local elections (county, borough and parish) have, for many years, been based on national fees set by statute: the Returning Officer's Fees Order. In 2014, in advance of the European elections, this changed to being a less prescriptive but, nevertheless, closely audited arrangement.

- 5.3 The last occasion on which fees were set in a more prescriptive way (ie. setting out payments for Presiding Officer, Poll Clerk etc) was for the PCC elections in November 2012. Most authorities have continued to pay at that level since, even though there has been no requirement to do so, but there will be a need before too long to review fees which are now over three years old.
- 5.4 Borough and parish fees were last reviewed in September 2010 in readiness for the 2011 elections, and arrangements were not changed for the elections in 2015. (Note: they were updated, but no material changes were made, in 2013 before a by-election.)
- 5.5 There was no review in 2015 because borough and parish elections were combined with the parliamentary election, which took precedence – it being the “primary” election. This meant that the fees and charges arrangements in place for the parliamentary election also applied to the borough and parish elections. Wherever appropriate the fees for the 2015 election were divided on a proportionate basis between the government, the borough council and any contested parishes.
- 5.6 As part of this review exercise a comparison has also been carried out with a sample of other authorities to ensure that recommendations are not out of kilter with best practice in the country.

6 Discussion

- 6.1 The proposed new fees and charges arrangements set out in Appendix B reflect the current statutory arrangements as far as is possible.
- 6.2 For example, at the parliamentary election in 2015 the fees for the Wellingborough constituency for a standalone election were as follows: £3,879 for the Acting Returning Officer and £139,255 for other fees and charges. This was of course for the whole constituency, which included parts of East Northants district, but excluded parts of the borough of Wellingborough. Overall the total electorate was about 23% higher than the borough, which – on a proportionate basis - would put the budget for the borough alone at about £107,000
- 6.3 The recommendation in the appendix is not set as high as this, but takes into account the overall cost of the county council election in 2013 (£91,427) and the European parliamentary election in 2014 (£91,385). Added to this is 2.2% which represents the 2014-16 local government pay award, making a total of £93,395. The addition of any pay awards is proposed as a straightforward way of reviewing fees and charges going forward – and until the government changes its election funding arrangements again.
- 6.4 Much has been debated over the years about whether local authority staff should be allowed paid time off (special leave) to work on elections. At this council the policy has been, for many years, to allow paid time off for everyone up to a specific salary level (the old local government senior officer grade, which no

longer exists).

- 6.5 The reason for this is that the majority of experienced polling station and counting staff are employed by the council. Without them it would be extremely difficult to recruit sufficient people with the knowledge and ability required.
- 6.6 In addition, there is the problem of drop-out. Staff are recruited a few months before polling day in the spirit of forward planning, but they regularly advise us that they are no longer available – and sometimes as late as polling day itself. It is not uncommon to have to carry out several trawls amongst council staff to fill vacancies; if those staff had to take leave it is unlikely that they would volunteer.
- 6.7 More and more external staff are being recruited to work on elections, but they will generally need to work as Poll Clerk several times before being promoted to Presiding Officer. Similarly, many of the staff working on opening postal votes are non-council and are building up a level of competence which makes the process more efficient. If the policy on special leave were to change, the elections team would struggle to recruit enough people to do the work required.
- 6.8 A further issue which has received some government attention is the fact that additional sums are paid to the core elections team (including, in this authority, the wider Democratic Services team) whose job it is to make sure that everything is organised in accordance with statute for the election.
- 6.9 In reality, the team are working on many aspects of this all year as part of their day job, and they prepare as much as possible in advance. It is the case, however, that some work simply cannot be started before legislation/guidance is in place or until the election timetable commences – usually about five working weeks before polling day.
- 6.10 At each election there will, therefore, be a period of several weeks when staff affected are having to work longer than their contracted hours. This is not a daily occurrence and is monitored. The government accepts this and makes provision for such payment, rather than it being a cost to the council.
- 6.11 It is therefore recommended that the same applies to borough council elections. Staff at this council have been instructed that they may only claim hours worked in excess of their contracted 37 hours, if needed, to make all necessary preparations for the election.
- 6.12 Payments are not based on each individual's salary, but rather on pre-agreed rates for administrative, supervisory or management work. Because the work is in excess of their standard working week they are paid at time and a half for any additional hours.
- 6.13 The recommendation in respect of the Returning Officer's fee does not reflect the approach taken with the remainder of the fee – and is not in line with parliamentary elections. This is because the two are not comparable. In the case of borough and parish elections there is the potential to run up to 30 elections on the same day with - in the case of some parishes - up to 17 candidates, as

opposed to one parliamentary election with up to six candidates.

- 6.14 The recommendation on the Returning Officer fee arrangements is therefore unchanged, but with an uplift of 2.2% to reflect the uplift on the remainder of the fees. The Returning Officer always appoints a deputy but, in line with government policy, there is no fee allocated to the deputy.

7 Legal powers

Electoral law, including the Local Government Act 1972 and Representation of the People Acts and Regulations.

8 Financial and value for money implications

Each year the Head of Finance is asked to provide a budget in case of a by-election. Every four years, there is also a need to budget for an all-out election. For this reason it is helpful to set budgets which are sufficient to allow the election to be run effectively, and can help with forward budget planning. All fees paid are fully accounted for and best value is sought, subject to limitations imposed by legislation.

9 Risk analysis

There are few risks associated with this issue. It is good practice to keep policies of any kind under review and ensure that they follow best practice. It is also important to ensure that the Returning Officer has sufficient funding to run the election, and can attract experience and committed staff to comply with legislation.

10 Implications for resources, stronger and safer communities, and equalities

There are no implications of this kind.

11 Author and contact officer

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12 Consultees

John Campbell, Chief Executive and Returning Officer
Karen Denton, Principal Corporate Support Manager
Sam Whiteley, Electoral Services Team Leader
Liz Elliott, Head of Finance
Julie Thomas, Head of Planning and Local Development

13 Background papers

Legislation setting out fees and charges at elections over the past four years, plus guidance published by the Electoral Claims Unit on permissible expenditure.

Appendix A

BOROUGH COUNCIL OF WELLINGBOROUGH

COSTS, CHARGES AND EXPENSES APPLICABLE TO ELECTION OF
BOROUGH/PARISH COUNCILLORS AS AT 1 APRIL 2013

Returning Officer fees		Parish Council Recharge
<u>Borough Council:</u> Uncontested	£40	Nil
Contested	£475 for every 10,000 electors pro rata	Nil
<u>Parish Council:</u> Uncontested	£40	100%
Contested	£475 for every 10,000 electors pro rata	100%
Additional payments where a Parish is divided into Wards – for each Ward	£20	100%
Polling station costs		
Presiding Officers	£195 *	100% if Parish Council election only; 50% of total fee at a combined election
Poll clerks	£115*	
Polling Station Inspectors	£195*	
Travel and subsistence	HMRC rate (currently 45p per mile)	
Receiving training	£20 including travelling expenses	
Accommodation costs (including heat, light, adapting building, etc)	Actual & necessary	
Preparation and transport of equipment	External contractor - actual & necessary costs; Polling station staff - £7.50 per polling station	
Cost of equipment (polling screens, ballot boxes, tactile voting device, stationery, etc)	Actual & necessary	
Printing ballot papers	Actual & necessary	
Increase for combination	Increase rates of pay of Presiding Officers, Poll Clerks and Supervising Officers by 11%*	
Postal voting costs		
Staff costs – preparation and issue	Expected number of postal votes ÷ number processable per hour of 91 x hourly rate of £13*	100% if Parish Council election only; 50% of total fee at a combined election
Staff costs – opening and checking	Expected number of postal votes x 100 ÷ number processable per	

	hour of 29 x hourly rate of £13*	
Printing and stationery	Actual & necessary	
Postage	Actual & necessary	
Postal vote "sweeps"	Actual & necessary	
Poll card costs		100% if Parish Council election only; 50% of total fee at a combined election
Printing	Actual & necessary	
Postage / delivery	Hand delivery - 15p per card; otherwise actual & necessary	
Count Costs		100% if Parish Council election only; 50% of total fee at a combined election
Staff costs - including verification, separating and sorting ballot papers and counting	Expected turnout ÷ number of ballot papers processable per hour, per individual of 100 x hourly rate of £13*	
Staff costs – supervisory staff	Calculated at 41% of above*	
Travel and subsistence	HMRC rate (currently 45p per mile)	
Receiving training	£10 - Count Supervisor	
Accommodation - rent, light, heat, setting up costs etc	Actual & necessary	
Equipment costs	Actual & necessary	
Transport	Actual & necessary	
Security	£100	
Clerical and other costs		100% if Parish Council election only; 50% of total fee at a combined election
General clerical staffing costs	Cost per elector of £0.0710*	
Travel and subsistence	HMRC rate (currently 45p per mile)	
Materials and services – stationery, printing, postage not covered elsewhere, telephone costs, bank charges, etc	Actual & necessary	
Superannuation costs	Employer's contribution set by actuary (currently 26.9%)	Pro rata

Notes:

1. This fees table was agreed at Resources Committee in September 2010.
2. It was agreed that some of the fees would reflect those set by the fees order for the latest national election. These are indicated by a * and will be updated when a new fees orders is published.
3. The remaining fees are set locally and are updated in line with the latest pay award. There has been no pay award since April 2009 to date (Feb 2013)

Version: February 2013, based on the fees order for the Police and Crime Commissioner election in November 2012

Appendix B

BOROUGH COUNCIL OF WELLINGBOROUGH

**COSTS, CHARGES AND EXPENSES APPLICABLE TO ELECTION OF
BOROUGH/PARISH COUNCILLORS AS AT 1 APRIL 2016**

Returning Officer fees		Parish Council Recharge
<u>Borough Council:</u> Uncontested	£40.88	Nil
Contested	£485.45 for every 10,000 electors on a pro rata basis	Nil
<u>Parish Council:</u> Uncontested	£40.88	100%
Contested	£485.45 for every 10,000 electors on a pro rata basis	100%
Additional payments where a Parish is divided into Wards – for each Ward	£20.44	100%

1. The budget for an all-out borough council election on 1 April 2016 will be £93,395. This takes account of the local government pay award for 2014-16. This sum will either be increased by future pay awards or amended via a review by Resources Committee.
2. The budget for a single by-election will be £10,000. This takes account of the local government pay award for 2014-16. This sum will either be increased by future pay awards or amended via a review by Resources Committee.
3. The sums outlined in 1 and 2 above will cover:
 - a. the appointment and payment of persons to assist the returning officer;
 - b. travel for the returning officer and any person appointed to assist the returning officer;
 - c. the costs of the nomination process;
 - d. printing or otherwise producing the ballot papers;
 - e. printing or otherwise producing or purchasing postal vote stationery;
 - f. printing or otherwise producing and arranging for the delivery of poll cards;
 - g. printing or otherwise producing and, where appropriate, publishing notices and any other documents required by any enactment or instrument for or in connection with the election;
 - h. renting, heating, lighting, cleaning, adapting or restoring any building or room;
 - i. providing and transporting equipment;
 - j. providing information and communications technology equipment and software and associated costs;

- k. providing security, including secure storage of ballot boxes, ballot papers and verification documents;
 - l. conducting the verification and the count;
 - m. providing and receiving training;
 - n. providing stationery and meeting postage, telephone, printing, translation and banking;
 - o. costs and the costs of other miscellaneous items.
4. All employees of the council paid up to and including spinal column point 34 will be granted special leave if appointed to work during standard office opening hours: on polling stations, assist at the verification and/or counting of the votes, or open postal votes.
5. Parish councils will reimburse the council for all fees and charges incurred under this schedule in 3 above at a rate of 100% for a stand alone election, and pro-rata for a combined election.