

Report To:	COUNCIL
Date:	12 FEBRUARY 2024
Heading:	ELECTORAL REGISTRATION AND ELECTION MATTERS
Executive Lead Member:	COUNCILLOR JASON ZADRONZY, LEADER OF THE COUNCIL
Ward/s:	NOT APPLICABLE
Key Decision:	NOT APPLICABLE
Subject to Call-In:	NOT APPLICABLE

Purpose of Report

To appoint or authorise Theresa Hodgkinson, Chief Executive, as Deputy Electoral Registration Officer.

To authorise nominated officers to act as Deputy Electoral Registration Officers for the purposes of signing Temporary Voter Authority Certificates.

Recommendation(s)

1. With effect from 13 February 2024 to appoint or authorise Theresa Hodgkinson, Chief Executive, as Deputy Electoral Registration Officer pursuant to Section 52(2) of the 1983 Act.
2. To authorise the following to act as Deputy Electoral Registration Officer for the purpose of signing Temporary Voter Authority Certificates, in addition to the Statutory Electoral Registration Officer (Ruth Dennis), Deputy Electoral Registration Officer (Theresa Hodgkinson) and those previously authorised by the Council in March 2023:
 - Ian Dobson, Electoral Services (AEA) Consultant (for elections during 2024/2025)

Reasons for Recommendation(s)

Deputy ERO appointment – It is good practice to appoint an officer to act as Deputy ERO.

Temporary Voter Authority Certificates - To ensure that there are sufficient officers nominated to sign and authorise Temporary Voter Authority Certificates to deal with potentially significant numbers of applications and in the absence / unavailability of the Electoral Registration Officer. The Regulations require security measures to be in place to ensure the authenticity of Temporary Voter Authority Certificates, “wet signatures” for the Certificates is one such measure.

Alternative Options Considered

(with reasons why not adopted)

Deputy ERO appointment - Members may suggest an alternative Officer for the appointment.

Temporary Voter Authority Certificates - no alternatives were considered - it would not be advisable for the Electoral Registration Officer to be the only officer authorised to sign Temporary Voter Authority Certificates as this would not be workable in the event of large numbers of applications being received in a short space of time which need processing without delay.

Detailed Information

ERO/RO APPOINTMENT

Statutory Requirements

Section 8(2)(a) of the Representation of the People Act 1983 (the 1983 Act) requires that every district council should appoint an officer of the Council to be the Electoral Registration Officer (ERO) for its district. In accordance with Section 52(2) of the 1983 Act, a Deputy ERO may be appointed by the Council. The ERO may appoint officers to assist him/her.

Ruth Dennis, Executive Director, Governance (Monitoring Officer), was appointed as RO/ERO with effect from 23 September 2019 as an interim measure following the departure of the then Chief Executive Officer/ERO/RO. This appointment remains in place.

The duties of an ERO/RO/ARO/LRO are separate from his/her duties as a local government officer. The officer is personally liable for the Electoral Register and the conduct of elections. The ERO/RO/ARO/LRO acts independently of the Council and is only accountable to the courts. The Council does not provide direction or exercise control whilst the officer is undertaking these duties.

There is currently no officer appointed as Deputy ERO. It is good practice to appoint a Deputy ERO to act in the absence / incapacity of the ERO, as such it is recommended that Theresa Hodgkinson, Chief Executive, is appointed to act as Deputy ERO.

VOTER AUTHORITY CERTIFICATES

From 4 May 2023, voters in England needed to show photographic identification to vote at polling stations. This applied to:

- Local elections (including Mayoral)
- Police and Crime Commissioner elections
- UK parliamentary by-elections
- Recall petitions

From October 2023 it also applied to UK General elections.

Accepted forms of photo ID

The following is a list of accepted forms of photo ID when voting at a polling station:

International travel:

- Passport issued by the UK, any of the Channel Islands, the Isle of Man, a British Overseas Territory, an EEA state or a Commonwealth country Driving and Parking
- Photographic driving licence issued by the UK, any of the Channel Islands, the Isle of Man, or an EEA state (this includes a provisional driving licence)
- A Blue Badge

Local travel:

- Older Person's Bus Pass
- Disabled Person's Bus Pass
- Oyster 60+ Card
- Freedom Pass
- Scottish National Entitlement Card
- 60 and Over Welsh Concessionary Travel Card
- Disabled Person's Welsh Concessionary Travel Card
- Senior SmartPass issued in Northern Ireland
- Registered Blind SmartPass or Blind Person's SmartPass issued in Northern Ireland
- War Disablement SmartPass issued in Northern Ireland
- 60+ SmartPass issued in Northern Ireland
- Half Fare SmartPass issued in Northern Ireland

Proof of age:

- Identity card bearing the Proof of Age Standards Scheme hologram (a PASS card)

Other government issued documents:

- Biometric immigration document
- Ministry of Defence Form 90 (Defence Identity Card)
- National identity card issued by an EEA state
- Electoral Identity Card issued in Northern Ireland
- Voter Authority Certificate (see further information below)
- Anonymous Elector's Document (see further information below)

Only one form of photo ID is needed. It needs to be the original version and not a photocopy. A voter can still use photo ID if it is out of date, as long as it still looks like them. The name on the ID should be the same name as appears on the Register of Electors. If the voter is registered to vote anonymously and they want to vote in person, the voter will need to apply for an Anonymous Elector's Document. A voter does not need photo ID to vote by post.

Voter Authority Certificate

A voter can apply for a free voter ID document, known as a Voter Authority Certificate, if:

- they don't have an accepted form of photo ID
- they are not sure whether their photo ID still looks like them
- they are worried about using an existing form of ID for any other reason, such as the use of a gender marker

The voter must be registered to vote before applying for a Voter Authority Certificate. The Electoral Commission will again undertake a national media campaign to raise awareness with voters about the process for applying for a Voter Authority Certificate. The Council will also carry out its own awareness campaign.

A voter can apply for a Voter Authority Certificate:

- online at <https://www.gov.uk/apply-for-photo-id-voter-authority-certificate>
- by post by filling out a paper application form and sending this to the Council
- in person at the Council.

When applying for a Voter Authority Certificate, the voter will need to provide:

- name - apply using the same name that was used to register to vote.
- address
- date of birth
- National Insurance number - If a voter doesn't know their National Insurance number, or doesn't have one, they will need to provide other forms of proof of identity, such as a birth certificate, bank statement and a utility bill. If a voter doesn't have any other accepted proof of identity, they can ask someone to confirm their identity this is known as an attestation.
- Photograph - the requirements for the photo are similar to the requirements for a passport photo. If a voter needs help taking a photo, then the Council will be able to help with this.

Voter Authority Certificates do not have an expiration date, but it is recommended that they are renewed after 10 years.

The deadline to apply for a Voter Authority Certificate for the local elections in England on 2 May 2024 is 5pm on Wednesday 24 April 2024.

Temporary Voter Authority Certificates

Where a permanent Voter Authority Certificate has been issued (printed centrally by DLUHC) between 5pm 6 working days before an election and 5pm on the day of the election and the ERO is satisfied that it may not be delivered to an applicant in time to be used on polling day a temporary Voter Authority Certificate may also be produced and issued locally, up until the close of poll on the date of the relevant poll.

A decision on whether a temporary Voter Authority Certificate is needed may be due to the proximity of the forthcoming polling day or it could be because of another issue, such as a postal strike.

A temporary Voter Authority Certificate is valid only on the relevant date of a specific election. It must be collected by the applicant; it cannot be sent via post.

A temporary Voter Authority Certificate must include:

- the elector's full name
- the date of issue
- the name of the local authority by which the ERO was appointed
- an appropriate identifier
- the date for which the temporary Voter Authority Certificate is valid
- the applicant's photograph
- the ERO's signature

The ERO's signature can be provided by a deputy and should be a wet ink signature. It would not be advisable for the ERO to be the only officer authorised to sign Temporary Voter Authority Certificates as this would not be workable in the event of large numbers of applications being received in a short space of time which need processing without delay.

For the elections in May 2023, Ruth Dennis was authorised to sign Temporary Voter Authority Certificates as ERO. The Council also authorised (2 March 2023, Min. Ref. C.74) the following to act as Deputy Electoral Registration Officers for the purposes of signing Temporary Voter Authority Certificates:

- Theresa Hodgkinson, Chief Executive
- Michael Joy, Assistant Director – Democracy
- Ian Dobson, Electoral Services (AEA) Consultant (for elections in May 2023)
- Carla Benedetti, Electoral Services Officer
- Louise Ellis, Assistant Director – Legal

For future elections and subject to approval of recommendation 1 above:

- Ruth Dennis is authorised to sign Temporary Voter Authority Certificates as Statutory ERO
- Theresa Hodgkinson will be authorised to sign Temporary Voter Authority Certificates as Deputy ERO
- Michael Joy, Assistant Director – Democracy will be authorised to sign Temporary Voter Authority Certificates in accordance with the previous Council Authority
- Carla Benedetti, Electoral Services Officer will be authorised to sign Temporary Voter Authority Certificates in accordance with the previous Council Authority
- Louise Ellis, Assistant Director – Legal will be authorised to sign Temporary Voter Authority Certificates in accordance with the previous Council Authority

The authorisation to Ian Dobson, Electoral Services (AEA) Consultant was time limited to elections in May 2023. Ian has temporarily returned to the Council as Electoral Services (AEA) Consultant and as such it is recommended to authorise Ian to sign Temporary Voter Authority Certificates for elections during 2024/2025.

Implications

Corporate Plan:

The management and delivery of lawful elections and the publication of the Register of Electors is outside the remit of the Corporate Plan.

Legal:

It is a statutory requirement for the Council to appoint an Electoral Registration Officer and a

Returning Officer. Legal issues are contained within the report. [RLD 12/2/24]

Finance:

The proposed change has no impact on existing budgets. Fees will be met by the relevant bodies identified in the report. The Returning Officer is responsible for making appropriate arrangements for tax and superannuation obligations. [P.H 12/2/24]

Budget Area	Implication
General Fund – Revenue Budget	N/A
General Fund – Capital Programme	N/A
Housing Revenue Account – Revenue Budget	N/A
Housing Revenue Account – Capital Programme	N/A

Risk:

Risk	Mitigation
There is uncertainty regarding the number of Voter Authority Certificates/Temporary Voter Authority Certificates the Council will be required to assist with and process in advance of the elections in 2024. In the event of a large number of applications, particularly for temporary certificates, in a short period of time, there will be pressure on the small team to process these.	Planning is in place to ensure resources are available. The recommendation to authorise additional signatories to Temporary Voter Authority Certificates will contribute to ensuring the Council is able to process large numbers in a short period of time.

Human Resources:

There are no contractual changes arising from the proposed appointments.

Environmental/Sustainability:

There are no environmental/sustainability issues arising from the proposed appointments.

Equalities:

There are no equalities issues arising from the proposed appointments.

Other Implications:

None.

Reason(s) for Urgency

Not applicable.

Reason(s) for Exemption

Not applicable.

Background Papers

Not applicable.

Report Author and Contact Officer

Ruth Dennis
EXECUTIVE DIRECTOR - GOVERNANCE
ruth.dennis@ashfield.gov.uk
01623 457009