



## Constitution and General Purposes Committee

17 January 2019

<b>Title</b>	<b>Annual Electoral Registration Report 2018</b>
<b>Report of</b>	John Hooton - Chief Executive and Electoral Registration Officer
<b>Wards</b>	All
<b>Status</b>	Public
<b>Urgent</b>	No
<b>Key</b>	No
<b>Enclosures</b>	Electoral Registration - Annual Report 2018
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### Summary

The annual Electoral Registration report provides an overview on the status of the Register of Electors in Barnet as at 1 December 2018 and on the work done by officers on behalf of the Council's Electoral Registration Officer.

### Officers Recommendations

1. That the Constitution and General Purposes Committee considers and comments on the annual Electoral Registration report.

## **1. WHY THIS REPORT IS NEEDED**

- 1.1 At their meeting on 9 November 2016, the General Functions Committee recommended that, following statutory publication of the Annual Register of Electors on 1 December each year, the Electoral Registration Officer bring an annual report to the committee (this report has therefore passed to the Constitution and General Purposes Committee). The report should detail the status of the Electoral Register and give an overview of the activities and performance of the Electoral Registration service over the past year.

## **2. REASONS FOR RECOMMENDATIONS**

- 2.1 N/A

## **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 3.1 N/A

## **4. POST DECISION IMPLEMENTATION**

- 4.1 That the Electoral Services Team will continue to deliver the work required to ensure that the ERO complies with his statutory duties on behalf of the Council.

## **5. IMPLICATIONS OF DECISION**

### **5.1 Corporate Priorities and Performance**

- The Council has a responsibility to protect the public purse through proper administration and control of the public funds and assets to which it has been entrusted. By having oversight of the work being done on behalf of the borough's Electoral Registration Officer, the Constitution and General Purposes Committee can ensure that appropriate resources are being made available to the ERO and that they are used in an appropriate and cost-effective manner. Ensuring that the Register of Electors is as complete and accurate as possible ensures that eligible residents can participate in statutory elections and referendums and are thus properly represented in the democratic processes of the borough and in the decision-making of the Council.

### **5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

- The Council has a statutory duty to provide the ERO with appropriate resources for the discharge his functions in compliance with relevant electoral legislation – all expenses properly incurred by an ERO in the performance of these functions must be paid by the local authority that appointed them

### **5.3 Social Value**

- Ensuring that the Register of Electors is as complete and accurate as possible ensures that eligible residents can participate in statutory elections and referendums and are thus properly represented in the democratic processes of the borough and in the decision-making of the Council.

#### **5.4 Legal and Constitutional References**

- Every district and London borough council is required to appoint an ERO (Section 8, Representation of the People Act 1983 (RPA1983)) and must provide the resources needed by them to discharge their statutory functions. These functions include the duties of the ERO that are set out in legislation, and any further duties imposed by a direction of the Secretary of State. The Secretary of State has a power to direct EROs in the discharge of their functions. The Secretary of State can only exercise this power of direction in accordance with a recommendation of the Electoral Commission.
- The ERO has a duty under Section 9(1) of RPA1983 to maintain:
  - (a) a register of parliamentary electors for each constituency or part of a constituency in the area for which he acts; and
  - (b) a register of local government electors for the local government areas or parts of local government areas included in the area for which he acts.
- The ERO has a duty under Section 9A of RPA1983 (as amended by the Electoral Registration and Administration Act 2013 (ERA2013)) to take all necessary steps to comply with his duty to maintain the electoral register, and to ensure, as far as is reasonably practicable, persons who are entitled to be registered in the register (and no others) are registered in it.
- The ERO has a duty under Section 9D RPA1983 (as amended by ERA2013) to conduct an annual canvass in relation to the area for which the officer acts and to conduct the canvass in a manner as set out in the regulations.
- The ERO has a duty under Section 9E RPA1983 (as amended by ERA2013) to invite a person to join the register of electors maintained by the officer if:
  - (a) the officer is aware of the person's name and address,
  - (b) the person is not registered in the register, and
  - (c) the officer has reason to believe that the person may be entitled to be registered in the register.
- The Council Constitution, Article 7 – Committees, Forums, Working Groups and Partnerships (October 2018) – Constitution and General Purposes Committee's terms of reference, details the functions of the Committee and includes the following:  
*"To have responsibility for overseeing the Council's governance arrangements including:*
  - *Electoral Services including: elections and electoral registration performance, polling places and polling district boundaries"*

#### **5.5 Risk Management**

- The on-going and daily electoral registration processes and other work of Electoral Services ensures that both the Council and the ERO meet their legal obligations as stated in 5.4.

#### **5.6 Equalities and Diversity**

- Pursuant to section 149 of the Equality Act, 2010, the council has a public-sector duty to have due regard to eliminating unlawful discrimination, harassment, victimisation

and any other conduct that is prohibited by or under the Act; advancing equality of opportunity between those with a protected characteristic and those without; promoting good relations between those with a protected characteristic and those without. The relevant, ‘protected characteristics’ are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. It also covers marriage and civil partnership with regard to elimination discrimination

- Effective processes and activities with regards to registering residents on the electoral roll, in compliance with all relevant electoral legislation, ensures that all eligible individuals can choose to exercise their democratic rights in the manner in which they choose (as allowed by law).

#### 5.7 **Corporate Parenting**

- N/A

#### 5.8 **Consultation and Engagement**

- N/A (None)

### 6. **BACKGROUND PAPERS**

- 6.1 At the meeting of the General Functions Committee held on 9 November 2016 the (General Functions) Committee received the independent review undertaken by Dr Dave Smith into Barnet’s ‘Elections and Electoral Registration Services’. An accepted recommendation of the Smith review was for an annual report on Electoral Registration to be presented to the Committee.