

# **WAVERLEY BOROUGH COUNCIL**

**EXECUTIVE - 5 APRIL 2016**

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**Title:**

**STAFFING CHANGES**

**[Portfolio Holder: Cllr Robert Knowles]**

**[Wards Affected: All]**

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**Summary and purpose:**

The proposals in this report are necessary following the full retirement of the Monitoring and Returning Officer (AI09) who is responsible for the statutory roles of Monitoring Officer, Registration Officer and Returning Officer. The changes in this report will look to maintain a robust and resilient structure and suitable Corporate Governance arrangements.

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**How this report relates to the Council's Corporate Priorities:**

The proposals in this report support the Council's priorities to fulfil its statutory functions and deliver high quality services through robust organisational resilience.

**Legal Requirements:**

The proposed structure in this report ensures that the Council meets its statutory obligations in respect of the following statutory roles:

- a. Section 8 of the Representation of the People Act 1983, regarding the Statutory Duties of the Electoral Registration Officer;
- b. Section 27(1) of the Representation of the People Act 1983, regarding the Statutory Duties of the Returning Officer, and refers to
- c. Sections 4 and 5 of the Local Government and Housing Act, 1989 regarding the Statutory Duties of the Monitoring Officer.

The proposals and processes in this report comply with the Council's obligations under relevant employment legislation. Under the Council's Constitution, only the Council is able to agree the appointment for the roles of the Electoral Registration and Returning Officer.

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**Background:**

1. The Monitoring and Returning Officer took flexible retirement in 2013 and has announced his intention to fully retire from the Council in the week ending 1 July 2016. The postholder currently works 2 days a week throughout the year and increases his hours to prepare for and manage elections.
2. One of the aims of flexible retirement is to assist with the smooth transition when the employee retires fully. With this in mind, the Council, when advertising the post of Head of Democratic and Legal Services (now Head of Policy and Governance), stated its expectation that the Monitoring Officer role be transferred to the newly recruited postholder. In the light of this, the Head of

Policy and Governance has been appointed to the role of Monitoring Officer from 1 July 2016 as anticipated.

3. For the last twenty years at Waverley, and in common with many Councils, the roles of Electoral Registration and Returning Officer have been carried out by the Head of Paid Service. However, in December 2013, recognising the particular experience of the Monitoring Officer (then called the Head of Corporate Governance), these roles were allocated to that post, with the Head of Paid Services (Executive Director) taking the Deputy Returning Officer role. Following the full retirement of Monitoring and Returning Officer, it is proposed that the roles of Electoral Registration and Returning Officer revert back to the Head of Paid Service.
4. The role of Electoral Registration Officer is to manage the preparation and maintenance of Waverley's Electoral Register.
5. The role of Returning Officer is to lead the electoral process for all levels of election in Waverley. It involves assuming personal responsibility for successful conduct of all elections.
6. In terms of the other aspects of the vacated role of the Monitoring and Returning Officer and the particular skills of staff across the Council, there is the opportunity to reallocate these tasks to other officers. These tasks are:
  - Internal Audit
  - Corporate Complaints
  - Mayoralty Support
7. The Director of Finance and Resources, as the statutory Section 151 Officer, is required to make arrangements for the proper administration of the Council's financial affairs. A sound internal audit function is an essential part of those requirements. It is proposed that the Director of Finance and Resources becomes the line manager for the operational Internal Audit Client function. This was the arrangement that worked well until 2010 and is a relationship duplicated in many local Councils such as Elmbridge in Surrey. To further demonstrate the independence of internal audit from financial services, the new structure proposes a reporting relationship for the Internal Audit Client manager to the Executive Director and Monitoring Officer, represented by dotted line reporting, for use as required.

### **Structure Proposals**

8. The proposed structure will continue to fulfil the Council's statutory requirements and further strengthen resilience, with the two Directors being designated Deputy Returning Officers as part of their core responsibilities. The key proposals are:

<b>Role</b>	<b>Postholder</b>
Electoral Registration Officer	revert to the Head of Paid Service (Executive Director)
Returning Officer	revert to the Head of Paid Service (Executive Director)
Deputy Returning Officers	Senior Manager - Elections and Corporate Projects (continuing) Director of Operations (new)

	Director of Finance and Resources (new)
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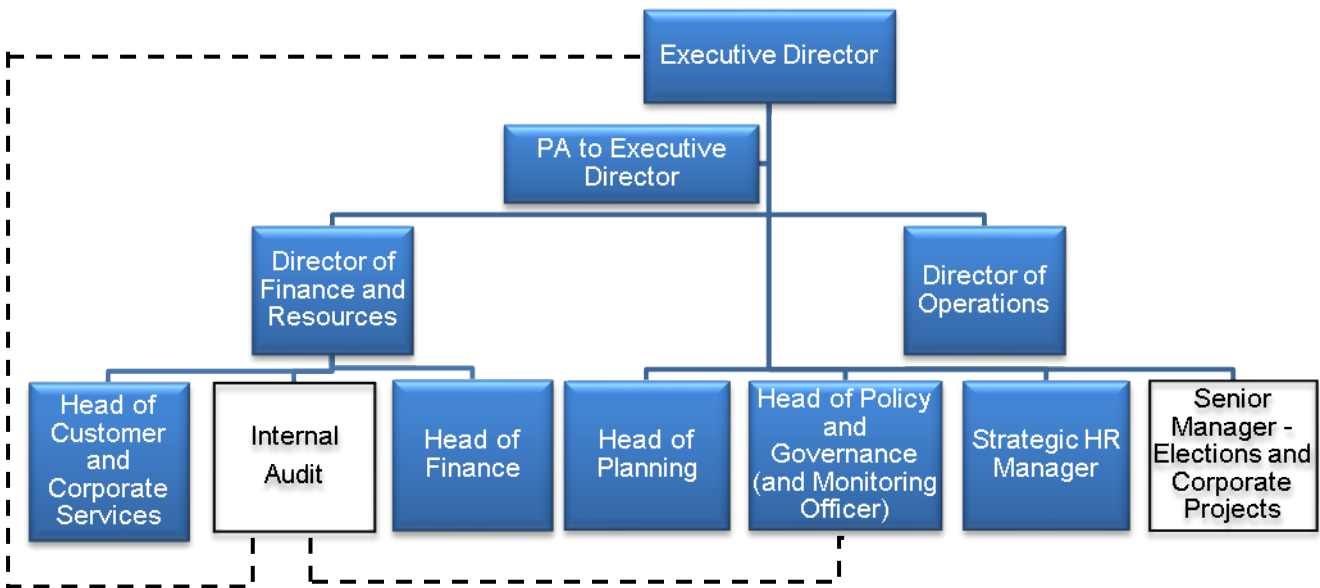
9. The reallocated reporting lines will be as follows:

Job title:	Reporting to:
Senior Manager - Elections and Corporate Projects	Executive Director
Internal Audit Client Manager	Director of Finance and Resources*
Corporate Complaints Officer	Corporate Policy Manager
Mayor's Secretary	Democratic Services Manager

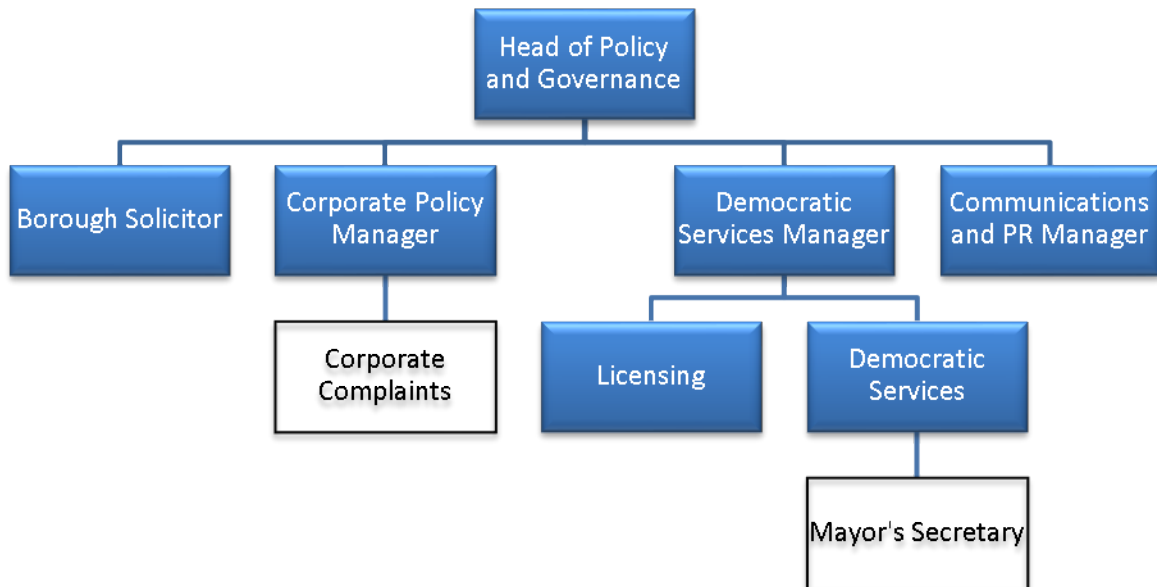
\* With a dotted line directly to the Head of Paid Service, the Executive Director.

**Proposed New Structure – Executive Director**

The changes to the current structure are shown in white:



## Proposed New Structure – Policy & Governance



### Internal Audit

9. In preparing this report, the external auditor Grant Thornton and the Chairman and Vice-Chairman of the Audit Committee have been consulted about the Internal Audit proposals and their views are reflected in the report.

### Financial Implications

10. The principal aim of this report is to propose a robust, resilient structure to carry out the functions highlighted. The salary budget, including on-costs, for the Monitoring and Returning Officer post AI09 is £32,800. Due to the departure of this experienced senior officer, there will need to be a review of the staffing structure of the Elections Team and an assessment of any necessary training and job evaluations linked to these proposals. Therefore, whilst the whole salary cost will not be saved, the outcome of the review may identify a net saving in the 2017/18 Star Chamber.

11. The immediate transferred costs agreed in December 2013 from the Monitoring and Returning Officer to the Executive Director would be:

Registration Officer	£3,990
Returning Officer	Statutory Returning Officer fees – vary according to the type of election as determined by the appropriate body. e.g. Electoral Commission. These fees are reimbursed in full by whichever body is holding the election i.e. Surrey CC, Towns & Parishes, Electoral Commission, Waverley's election fund, and the cost does not fall on Waverley's ongoing budget.

12. In addition, if Members agree to the changes in this report, pay details on the Council Website will be updated to reflect additional payments in accordance with the Waverley Pay Policy 2016/17.
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## **Recommendation**

That the Executive recommends to the Council that, with effect from 1 July 2016:-

1. the post of Monitoring and Returning Officer (Post AI09) be deleted from the establishment;
2. the Head of Paid Service (Executive Director) be appointed to the statutory roles of Electoral Registration Officer and Returning Officer;
3. the Director of Operations and Director of Finance and Resources be appointed as Deputy Returning Officers; and
4. the following changes to reporting lines be approved:-
  - i. Senior Manager – Elections and Special Projects to report to Executive Director;
  - ii. Internal Audit Client Manager to the Director of Finance and Resources, with dotted reporting lines to the Executive Director and Monitoring Officer;
  - iii. Corporate Complaints Officer to the Corporate Policy Manager; and
  - iv. Mayor’s Secretary to the Democratic Services Manager.

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## **Background Papers**

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

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