



AGENDA

ELECTORAL AND BOUNDARY REVIEW COMMITTEE

Friday, 22 January 2021, at 9.00 am
Virtual

Ask for: **Joel Cook**
Telephone: **03000 416892**

In response to COVID-19, the Government has legislated to permit remote attendance by Elected Members at formal meetings. This is conditional on other Elected Members and the public being able to hear those participating in the meeting. This meeting will be accessible online and can be watched via the Media link on the Webpage for this meeting.

Membership (9)

Conservative (7): Mr G K Gibbens (Chairman), Mr A H T Bowles (Vice-Chairman), Mrs C Bell, Mrs P T Cole, Mr P C Cooper and Mrs P A V Stockell

Liberal Democrat (1): Ida Linfield

Labour (1) Mr D Farrell

UNRESTRICTED ITEMS

(During these items the meeting is likely to be open to the public)

- 1 Substitutes
- 2 Declarations of Interest on any items on this agenda
- 3 KCC Scale of Election of Fees and Expenses (Pages 1 - 10)

Benjamin Watts
General Counsel
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Thursday, 14 January 2021

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By: Ben Watts, County Returning Officer

To: Electoral and Boundary Review Committee – 22 January 2021

Subject: County Scale of Election Fees and Expenses

Classification: Unrestricted

Summary This report updates the Committee on recent decisions regarding the County Scale of Election Fees & Expenses and asks the Committee to take a decision about the uprating for 2021/22.

1. Introduction

- (1) At its meeting on 8 March 2010, this Committee agreed that it would annually authorise and approve the County Scale of Fees and Expenses for Kent County Council elections. This is consistent with the powers delegated to the Committee by County Council and recorded in the Appendix of the Constitution.
- (2) Each year subsequently the County Scale of Fees and Expenses has been uplifted annually using the average NJC pay award for local government.

2. 2019/20 County Scale of Election Fees and Expenses

- (1) On 30 July 2018 the Committee agreed the 2019/20 County Scale of Election Fees and Expenses.
- (2) At KCC's Budget County Council meeting on 14 February 2019, Members agreed to *"meet the commitment that the lowest pay in the Kent Scheme matches the £9 per hour Foundation Living Wage from 1st April 2019."*
- (3) In light of this commitment, the County Scale of Fees and Expenses was reviewed by officers and it was proposed that Item 17 on the 2019/20 Scale of Fees was uplifted to meet the Foundation Living Wage (FLW) for 2019/20 using the urgent delegation provision in Appendix 2 Part 3 (Functions Delegated by the Council to Officers) in the version of the Constitution in use at the time:
 - Due to the need for the revised fee to be in place by 1 April 2019 for any potential KCC by-elections in 2019/20 and the importance of giving adequate notice to the districts so that they are able to use the revised fee for any potential by-election.
 - It not being possible to convene a meeting and consult with this Committee in advance of 1 April 2019.

- (4) In consultation with the Chair of the Committee, Graham Gibbens, Ben Watts as County Returning Officer on 12 March 2019 used the urgent decision provision in order to uplift Item 17 (For each Poll Clerk at the Polling Station) on the County Scale of Fees and Expenses to meet the Foundation Living Wage for the period 1 April 2019 – 31 March 2020.
- (5) The Committee was notified on 13 March 2019 via email about the use of the urgent delegation provision. There is a duty to formally report to the next meeting of the Committee all decisions made under conditions of urgency and the details provided above have been included for this purpose. The revised County Scale for 2019/20 is attached in Appendix 1.

3. 2020/21 County Scale of Election Fees and Expenses

- (1) The proposed County Scale of Election Fees and Expenses for 2020/21 is attached in Appendix 1. The County Scale has been uplifted by 2.75% using the NJC 2020/21 Pay Award published on 24 August 2020.
- (2) The Committee is therefore asked to retrospectively approve the County Scale of Election Fees and Expenses for 2020/21.

4. 2021/22 County Scale of Election Fees and Expenses

- (1) At the time of writing, the proposed NJC 2021/22 Pay Award has not been agreed or published. It is important for the County Scale of Election Fees and Expenses for 2021/22 to be updated as soon as possible to enable election staff to be recruited and given details of their remuneration for the KCC elections scheduled for Thursday 6 May 2021.
- (2) In the absence of the NJC 2021/22 Pay Award, it is proposed that the County Scale of Election Fees and Expenses for 2021/22 is uplifted by the percentage pay increase awarded to Kent Scheme staff agreed at Budget County Council on 11 February 2021.
- (3) The draft Budget 2020-21 proposes a *"2% award for most Kent Scheme staff subject to discussions with trade unions or subject to pay bargaining, the cost of maintaining the current differential between the lowest pay range (KR2/3) and Foundation Living Wage, and the increased cost of employer pension contributions following the 2019 actuarial review of the Pension Fund."*
- (4) An indicative County Scale of Election Fees and Expenses for 2021/22 is attached in Appendix 1 which has been uplifted by 2% based on the proposed pay award for most Kent Scheme staff in the draft Budget.
- (5) The Committee is therefore asked to approve and delegate to the County Returning Officer the uplifting of the County Scale of Election Fees and Expenses for 2021/22 by the percentage pay increase, if any, awarded to most Kent Scheme staff agreed at Budget County Council on 11 February 2021.

5. Recommendations

The Committee is invited to:

- (a) note the use of urgent delegation provisions to additionally uplift Item 17 (For each Poll Clerk at the Polling Station) on the County Scale of Fees and Expenses for 2019/20 in order to meet the Foundation Living Wage;
- (b) approve retrospectively the County Scale of Election Fees and Expenses for 2020/21;
- (c) approve and delegate to the County Returning Officer the uplifting of the County Scale of Election Fees and Expenses for 2021/22 by the percentage pay increase, if any, awarded to most Kent Scheme staff as part of the agreed 2021/22 Budget of Kent County Council; and
- (d) authorise the Monitoring Officer to implement the uplift following the agreement of the Kent County Council budget for 2021/22.

Background Documents

Kent County Council (2018) '*Electoral & Boundary Review Committee (30/08/18)*';

<https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=142&MId=8114&Ver=4>

Kent County Council (2019) '*Budget County Council (14/02/19)*';

<https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=113&MId=7893&Ver=4>

Kent County Council (2021) '*Draft Budget 2020-21(06/01/21)*';

https://www.kent.gov.uk/_data/assets/pdf_file/0009/116856/Draft-budget-report-2021-22.pdf

National Joint Council for Local Government Services (2020) '*Local Government Services' Pay Award 2020-21*';

<https://www.local.gov.uk/sites/default/files/documents/LGS%20Pay%202020-21.pdf>

Contact Details

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COUNTY SCALE OF FEES AND EXPENSES

		2019/20	2020/21	2021/22
<u>STATIONERY AND EQUIPMENT</u>				
1	Printing and publishing all notices, forms and other documents, providing stationery and sundries, and other miscellaneous expenditure including postage, telephone calls and faxes	Reasonable and appropriate cost		
2	Stationery and equipment at each polling station, including depreciation			
3	Hire of any building or room for the purpose of the election and the expenses attending the use of any building or room, including temporary polling stations if necessary			
4	Fitting-up polling stations including the provision, transport and erection of voting compartments, the hire of necessary furniture (where this is not otherwise available) and the return to store afterwards			
5	Ballot Papers – provision and printing			
6	Register of Electors – purchase			
7	Printing or production of official poll cards and postal vote packs			
8	Delivery of official poll cards by hand			
<u>TRAVELLING EXPENSES</u>				
9	Travelling expenses to DRO's staff to make arrangements for the poll or otherwise in connection with the conduct of the election	45p per mile		

10	Presiding Officer travelling expenses	£15.22 (see Note 2)	15.64 (see Note 2)	£15.95 (see Note 2)
11	Poll Clerk travelling expenses	£8.58 (see Note 2)	£8.82 (see Note 2)	£9.00 (see Note 2)
12	Travelling expenses for staff in connection with the counting of votes, at the discretion of the DRO	£8.58 (see Note 2)	£8.82 (see Note 2)	£9.00 (see Note 2)
POLLING STATION STAFF				
13	One Presiding Officer at each Polling Station – single election	£215.56	£221.49	£225.92
14	One Presiding Officer at each Polling Station – joint election or difficult station due to local circumstances (at discretion of DRO).	Shared equally with other elections, up to a maximum of £132.41	Shared equally with other elections, up to a maximum of £136.06	Shared equally with other elections, up to a maximum of £138.78
15	Presiding Officer who acts as a supervisor in a Polling Place where there are a number of polling stations (additional).	£10.46	£10.75	£10.96
16	Polling Station Inspector – for every 10 polling stations overseen	£215.56	£221.49	£225.92
17	For each Poll Clerk at a Polling Station – single election	£144.00 (see Note 3)	£148.80 (see Note 3)	£152 (see Note 3)
18	For each Poll Clerk at a Polling Station – joint election or difficult station due to local circumstances (at discretion of DRO).	Shared equally with other elections, up to a maximum of £80.07	Shared equally with other elections, up to a maximum of £82.27	Shared equally with other elections, up to a maximum of £83.91
19	For each training session provided by the DRO for Presiding Officers, Poll Clerks or count staff	£184.80	£189.88	£193.68
20	For each Presiding Officer and Poll Clerk attending training	£47.85	£49.16	£50.15
21	An allowance for each polling station to have available a mobile phone on polling day	£5		

COUNTING OF THE VOTES, POSTAL VOTING, CLERICAL /OTHER ASSISTANCE				
22	For the employment of persons in connection with the counting of the votes, clerical and other assistance required by the DRO – for each 1000 electors or part in a contested election	£150.83 for single Member Divisions £196.67 for two Member divisions	£154.98 for single Member Divisions £202.08 for two Member divisions	£158.08 for single Member Divisions £206.12 for two Member divisions
23	For the employment of persons in connection with the issue and opening of postal ballot papers – for each 100 postal voters or part	£73.91	£75.95	£77.47
24	For the recount of votes – for each 1000 electors or part	£8.68	£8.91	£9.09
25	Contested single election – payment to District/Borough Council for the use of Council staff in the conduct of the election – each 1000 electors or part	£116.83	£120.04	£122.44
26	Contested joint election – payment to District/Borough Council for the use of Council staff in the conduct of the election – for each 1000 electors or part	£58.41	£60.01	£61.21
27	Contested single election – payment to DRO for the management and conduct of the election – for each 1000 electors or part	£48.95	£50.30	£51.30
28	Contested joint election – payment to DRO for the management and conduct of the election – for each 1000 electors or part	Shared equally with other elections, up to a maximum of £33.81	Shared equally with other elections, up to a maximum of £34.74	Shared equally with other elections, up to a maximum of £35.43

29	For each Counter attending training	£15		
30	For each Count Supervisor and Count General Assistant attending training	£30		
31	Reasonable refreshments for staff involved in the verification and count	Maximum £5 per head		
<u>UNCONTESTED ELECTION</u>				
32	Payment to District/Borough Council for the use of Council staff (including the provision of a DRO) at an uncontested election – for each 1000 electors or part	£32.23	£33.12	£33.78
<u>COUNTY RETURNING OFFICER ONLY</u>				
33	Insurance in respect of employer's liability and for injury or damage to persons and property of third parties, and for such other risks as advised by the County Council's Finance Director and the insurer's to the County Council. Costs incurred by the County Returning Officer only.	Reasonable and appropriate cost		
34	Additional expenses (if any) involved in and about the conduct of the election including (a) professional, clerical and other assistance, (b) professional and legal advice, (c) additional costs associated with a recount of the votes and (d) other disbursements	Such amount as may be approved by the Electoral and Boundary Review Committee at the appropriate time.	Such amount as may be approved by the Electoral and Boundary Review Committee at the appropriate time.	Such amount as may be approved by the Electoral and Boundary Review Committee at the appropriate time.

Definitions:

1. Single Election means a poll for the County Council Elections only.
2. Joint Election means a poll that is conducted at the same time as the County Council poll, which could be a District or Parish election or by-election or a National poll, such as a Parliamentary election or a referendum.

Notes:

1. The fees are calculated on the number of local government electors on the register of electors and entitled to vote at the last day for publication of the notice of election.
2. Items **10,11 and 12**: variable mileage rates may be applied where fixed travel is considered inappropriate.
3. Item **17** has been additionally uplifted to meet the Foundation Living Wage.

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