



WEST OXFORDSHIRE
DISTRICT COUNCIL

WEST OXFORDSHIRE DISTRICT COUNCIL

Name and date of Committee	COUNCIL – 20 MAY 2026
Subject	APPOINTMENT OF ELECTORAL REGISTRATION OFFICER AND RETURNING OFFICER
Wards affected	None
Accountable member	Councillor Andy Graham - Leader of the Council Email: Andy.Graham@westoxon.gov.uk
Accountable officer	Giles Hughes, Chief Executive Email: Giles.Hughes@westoxon.gov.uk
Report author	Andrew Brown, Head of Democratic and Electoral Services Email: Andrew.Brown@westoxon.gov.uk Sharon Ellison, Electoral Services Manager Email: Sharon.Ellison@westoxon.gov.uk
Summary/Purpose	To appoint an Electoral Registration Officer and Returning Officer.
Annexes	None
Recommendations	That Council resolves to: <ol style="list-style-type: none">I. Appoint the Director of Governance and Regulatory Services, Andrea McCaskie, as Electoral Registration Officer and Returning Officer, with effect from 1 June 2026.
Corporate priorities	Working Together for West Oxfordshire
Key Decision	NO
Exempt	NO
Consultees	Performance and Appointments Committee Director of Governance and Regulatory Services

1. EXECUTIVE SUMMARY

- 1.1. Council is recommended to appoint an Electoral Registration Officer and Returning Officer with effect from the retirement of the current Chief Executive on 1 June 2026.

2. BACKGROUND

- 2.1. Under section 8 of the Representation of the People Act 1983, and section 35 (1) of the Representation of the Peoples Act 1983, the Council is required to appoint one of its officers to act as **Electoral Registration Officer** and also to appoint one of its officers as **Returning Officer** for the District Council.
- 2.2. Following the announcement that the current Chief Executive, Giles Hughes, is leaving the Council at the end of May 2026, the Performance and Appointments Committee on 4 February 2026 considered the arrangements for recruiting a new Chief Executive and appointing to the statutory roles they hold.
- 2.3. Council on 26 February 2026 appointed Phil Martin as the Council's next Chief Executive and designated the statutory role of Head of Paid Service, on the recommendation of the Performance and Appointments Committee.
- 2.4. The Performance and Appointments Committee on 4 February 2026 also resolved to:
Recommend to Council, subject to consultation with the Director of Governance and Regulatory Services (Monitoring Officer), to designate the Director of Governance and Regulatory Services (Monitoring Officer) as the Council's Returning Officer and Electoral Registration Officer from 1 June 2026 and undertake a role evaluation to ensure this additional responsibility is appropriately remunerated.
- 2.5. The roles of Electoral Registration Officer and Returning Officer for the District council, as extended by various Acts of Parliament or Statutory Orders, cover such duties as:
- i. Returning Officer for parish and town councils in the District for the elections and for the conduct of parish polls;
 - ii. Acting Returning Officer for Parliamentary Elections where designated by the appropriate Government Minister (currently for the Witney Constituency);
 - iii. Deputy Returning Officer for County Council elections in relation to divisions within Oxfordshire
 - iv. Local Counting Officer in relation to national and regional referendums

3. RETURNING OFFICER AND ELECTORAL REGISTRATION OFFICER

- 3.1. The day-to-day work in support of Electoral Registrations and in running elections is carried out by the Electoral Services Team, led by Sharon Ellison a highly experienced Electoral Registration and Elections Manager.
- 3.2. For elections, the statutory and independent responsibility of the role of the Returning Officer is recognised by the payment of fees for the specific duties involved in each election. The fees constitute payments for a separate employment and in most cases are eligible for superannuation purposes. The fees are paid as part of the election account for each election and all costs, including employer's superannuation costs, are recovered from the body responsible for the assembly to which candidates are being elected, or for which a poll or

referendum is being carried out.

- 3.3. In Oxfordshire, the fees for local authority elections are set by the County Council, updated each year in relation to the national local government pay settlement, and all districts in the County apply the agreed fee scale. For elections to the UK National Parliament fees are prescribed in Fee Orders made by the relevant Government Minister, with the consent of Treasury Commissioners.
- 3.4. The fees are regarded as a special responsibility payment in relation to the independent duties carried out by the Returning Officer. They are personal to the Returning Officer and in addition to salary.
- 3.5. One other important issue is that of insurance. As the duties of Returning Officer for local authority elections derive from an extension of the core role of the officer concerned, and the duties as Acting Returning Officer for UK Parliamentary Elections are a specified extension of that role, it is appropriate that the Returning Officer and staff appointed by the Returning Officer in support of the role are covered for insurance purposes by the employing local authority. Such cover is part of the standard local government insurance available from the principal local authority insurers and is included in the cover offered by the Council's current insurers, Travelers.

4. SCOPE OF RECOMMENDATION

- 4.1. The recommendation at the top of this report, which Council is asked to agree encompasses the following:
 - i. In terms of the Representation of the People Act 1983 and all related legislation, Andrea McCaskie, is appointed as Electoral Registration Officer for the District.
 - ii. In terms of section 35 (1) of the Representation of the People Act 1983 and all related legislation, Andrea McCaskie is appointed as Returning Officer, with authority to act in that capacity for elections to the district council and parish and town councils, and for parish polls, within the district.
 - iii. The Returning Officer is also appointed or authorised to act in respect of all related electoral, poll or referendum duties, including in relation to County Council elections, elections for national and regional polls or referendums.
 - iv. The Electoral Registration Officer and the Returning Officer is authorised to appoint a deputy or deputies in relation to these roles, either on a standing appointment basis or for specific periods or specific elections, and either for all purposes or for specific purposes.
 - v. In relation to the duties of Returning Officer or any other electoral, referendum or polling duties arising from such appointment or arising from the appointment of the Electoral Registration Officer, the Returning Officer shall be entitled to be remunerated in accordance with the scale of fees approved by the Oxfordshire County Audit and Governance Committee for local elections, or the relevant scale of fees prescribed by a Fees Order in respect of national and regional Parliament elections, polls or referendums.
 - vi. In all cases where it is a legal requirement or normal practice to do so, fees paid to

the Returning Officer shall be superannuable, and the Council shall pay the appropriate employer's contribution to the superannuation fund, recovering such employer's contribution from central government or other agencies where this can be done.

- vii. In relation to the conduct of local authority elections and polls, and elections to the United Kingdom Parliament, and all other electoral duties where the Council is entitled by law to do so, the Council shall take out and maintain in force insurance indemnifying the Council and the Returning Officer against legal expenses reasonably incurred in connection with the defense of any proceedings brought against the Council or the Returning Officer and/or the cost of holding another election in the event of the original elections being declared invalid (provided that such proceedings or invalidation are the result of the accidental contravention of the Representation of the People Acts or other legislations governing the electoral process, or accidental breach of any ministerial or other duty by the Returning Officer or any other person employed by or officially acting for him in connection with the election or poll).

5. ALTERNATIVE OPTIONS

- 5.1. The Council has a statutory duty to make appoint a suitably qualified senior officer to these statutory roles. No other options have been identified.

6. FINANCIAL IMPLICATIONS

- 6.1. The Representation of the People Act 1983 makes provision for a scale of expenses to be fixed for the purpose of determining the Returning Officer's expenditure.
- 6.2. The Director of Governance and Regulatory Services will be paid a small additional allowance for taking on the responsibility of being Electoral Registration Officer. This cost can be met from within existing budgets.
- 6.3. Payments for the responsibilities of the Returning Officer at local elections are remunerated separately as part of the overall costs of running elections.
- 6.4. Parliamentary elections have their own fees and charges, set by The Ministry of Housing, Communities and Local Government (MHCLG) and appropriate expenditure on these elections is reclaimed through central government.

7. LEGAL IMPLICATIONS

- 7.1. As set out in the report under the Representation of the People Act 1983 the Council is required to appoint an Electoral Registration Officer and a Returning Officer for the District Council. Any failure to do so could lead to the Council being challenged for failing to meet its statutory duties.
- 7.2. Regulation 4 of The Parish and Community Meetings (Polls) Rules 1987 requires that, in the event of a parish poll being required, the Council shall appoint an officer of the Council to be Returning Officer.

8. RISK ASSESSMENT

- 8.1. As set out in the report, the Council is legally obliged to designate an officer as Electoral Registration Officer and Returning Officer.
- 8.2. The responsibilities are personal and carry significant risk to the individual. Indemnity insurance is provided in all cases to mitigate the risk of a legal challenge.

9. EQUALITIES IMPACT

- 9.1. The Council's employment policies and practices are consistent with equalities legislation.

10. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

- 10.1. There are no climate and ecological emergency implications arising directly from this report.

11. BACKGROUND PAPERS

- 11.1. None

(END)