

# Full Council

## 11 February 2025

### Appointment of Returning Officer and Electoral Registration Officer

#### For Decision

**Cabinet Member and Portfolio:**

Cllr N Ireland, Leader of the Council, Climate, Performance and Safeguarding

**Local Councillor(s):** All

**Executive Director:**

M Prosser, Chief Executive

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**Report Status:** Public [Choose an item.](#)

**Brief Summary:**

The Council is required to have in place a Returning Officer and Electoral Registration Officer for the Dorset Council area. These are statutory appointments that must be made by Full Council. These positions are currently held by the Chief Executive who will be leaving the Council, and Full Council is asked to make an interim appointment to these roles to take effect on 14 March 2025.

**Recommendation:**

That Council agrees to an interim appointment of Jonathan Mair, Director for Legal and Democratic Services, as Returning Officer and Electoral Registration Officer for Dorset Council.

**Reason for Recommendation:**

The appointment of Returning Officer and Electoral Registration Officer is a statutory appointment to posts that have overall responsibility for the conduct of elections and to create and maintain the register of electors and the list of absent voters.

## 1. **Background**

- 1.1 The roles of Returning Officer and Electoral Registration Officer are currently held by the Chief Executive who will be leaving Dorset Council in March 2025.
- 1.2 These posts are statutory appointments that are reserved to Full Council, and this report seeks Council's approval to an interim appointment of Jonathan Mair, Director for Legal and Democratic Services, as Returning Officer and Electoral Registration Officer.
- 1.3 The Director for Legal and Democratic Services has experience of both these roles at Dorset Council providing him with the necessary knowledge and skills having been appointed as Deputy Returning Officer and Deputy Electoral Registration Officer for the last 6 years. Most recently he was responsible for overseeing the general election process for the South Dorset and West Dorset Parliamentary constituencies enabling the Returning Officer and Electoral Registration Officer to oversee the North Dorset and Mid-Dorset and North Poole Parliamentary constituencies.

## 2. **The role of the Returning Officer and Electoral Registration Officer**

- 2.1 Whilst there are no scheduled elections in the short term, Dorset Council is responsible for running all parish polls, neighbourhood plan referenda, local elections as well as national elections, and unscheduled elections/referenda can occur at any time so this decision for an interim appointment is required to ensure good governance of all electoral processes that may arise.
- 2.2 S.35 of the Representation of the People Act 1983 requires the Council to appoint an officer of the Council to be Returning Officer who is the person with overall responsibility for the conduct of elections in the Dorset Council area.
- 2.3 The Returning Officer is an officer of the Council, but the role is independent and separate from their duties as an employee of the Council, and in carrying out this duty they have personal responsibility for the conduct of elections and are directly accountable to the High Court.
- 2.4 The Returning Officer may appoint one or more persons to act as Deputy Returning Officers to discharge all or any of his/her functions.
- 2.5 S.8 of the Representation of the People Act 1983 requires the Council to appoint an Electoral Registration Officer who has the statutory responsibility to create and maintain the register of electors and list of absent voters. This person takes responsibility for publishing a revised

electoral register and issuing monthly alteration notices. Again, this is a personal responsibility, independent and separate from their duties as an employee of the Council.

- 2.6 Unlike deputy Returning Officers, s.52(2) of the Representation of the People Act 1983 requires that the appointment of Deputy Electoral Registration Officers is made by Full Council, and on 11 May 2023 Full Council appointed the Service Manager for Democratic and Electoral Services and the Electoral Services Team Leader as Deputy Electoral Registration Officers with Full Powers, and all Electoral Services Officers were appointed as Deputy Electoral Registration Officers for the purpose of issuing temporary Voter Authority Certificates only. It is proposed that these deputy appointments continue.
- 2.7 The Chief Executive job description includes that the role “may be required to act as Returning Officer and Electoral Registration Officer, subject to formal appointment”, and a decision on the substantive designation will need to be made in consultation with the incoming Chief Executive. The interim appointment of a Returning Officer and Electoral Registration Officer will continue until this decision is made at which time a further report will be brought to Full Council.

### 3. **Financial Implications**

- 3.1 There are no financial implications arising from this report.

### 4. **Natural Environment, Climate & Ecology Implications**

- 4.1 There are no natural environment, climate and ecology implications arising from this report.

### 5. **Well-being and Health Implications**

- 5.1 There are no well-being and health implications arising from this report.

### 6. **Other Implications**

- 6.1 There are no other implications arising from this report.

### 7. **Risk Assessment**

- 7.1 **HAVING CONSIDERED:** the risks associated with this decision; the level of risk has been identified as:  
Current Risk: Low  
Residual Risk: Low

8. **Equalities Impact Assessment**

8.1 There are no equalities implications arising from this report.

9. **Report Sign Off**

9.1 This report has been through the internal report clearance process and has been signed off by the Head of Legal Services (Deputy Monitoring Officer), the Executive Director for Corporate Development (Section 151 Officer) and the appropriate Cabinet member.