

Comments on NIO Consultation on the Future Delivery of Electoral Services

17th November 2016

General Comments

- In line with the general desirability and ongoing campaign for councils to have a greater role in local service delivery, it is to be welcomed that these proposals included a potential greater role for councils in both electoral registration and managing elections. This is essentially a Transfer of Function, and as such NILGA accepts the principle, the premise and needs the requisite resources and indemnification for councils BEFORE and for five years AFTER transfer, akin to the “New Burdens” doctrine prevalent in England.
- The **deficit of EONI** – spend (being about £1.9 million p.a.) over budget – is as follows (approx):
 - (i) 2017/18: £351,000
 - (ii) 2018/19: £435,000
 - (iii) 2019/20: £521,500
- Key therefore, will be the comprehensive transfer of financial and other resources – particularly around the desire to digitalise electoral services, plus indemnification for councils for five years AFTER transfer, akin to the “New Burdens” doctrine prevalent in England.
- In relation to the registration process, the introduction of online registration will be welcomed and will be a much more efficient process for EONI as well as being more user friendly for registrants. EONI will need to conduct a widespread advertising campaign to ensure that the public know about the new service. Similarly, resources must be provided for the capacity building and application of such new technology in a digitalised world.
- In relation to council staff being a source of help and advice to the public as regards electoral registration, it would certainly be beneficial to have trained staff available in all 11 council areas to help the public with queries. There is, however, no mention of any funding for such positions, just a reference to EONI training relevant staff. Councils must therefore make an argument that due to their own highly focussed resource management, and austerity proofing, as well as an expertise loss pre and post RPA, there is a very clear need for suitable staff to be invested in by EONI, either (i) separately recruited or (ii) existing expertise in councils if the local authorities can adequately meet existing and future demand with specialist and support staff complements until 2024.
- In relation to the options for EONI offices going forward, there will of course be a significant political input needed. However, if it is accepted that there will always need to be an HQ (assumed to be in Belfast City), the debate centres on the need for several offices in other areas.

- The consultation paper suggests either one office in Belfast or 4 offices with one in Belfast and the three others being based in different council areas subject to geography and demography. The latter option would hence be different from at present, less regional offices with only a few council areas having an EONI regional office and most not. Hence it may be better if each council becomes the basis for non HQ EONI staff, thereby giving every council area an EONI presence, whether or not the staff are EONI or council employed. Certainly, for all host councils, premises and related estate costs for host councils will be required.
- The consultation paper also discusses the potential for councils to be directly involved in managing all elections, not just local elections. Based on a programme for strengthening local democracy, NILGA's Programme for Local Government and the "localisation" agenda inherent in the Draft Programme for Government, it is assumed that councils would want this additional responsibility, subject to additional adequate funding being guaranteed.

In relation to council elections up to now, the main workload falls upon the Chief Executive and nominated senior / administrative assistants regarding organising all aspects of the election, and on a variety of other staff for clerical support. Significant involvement of other council staff is needed for the verification and count, assuming that EONI supplies necessary staff for the polling stations on polling day. If the role of councils were to be expanded, especially if there were two or more elections on the same day or two within a short time period, then it is likely that additional properly negotiated resources would be required to be brought in for a specified period and funding needed for such extra assistance. For this reason, NILGA would once again assert the New Burdens principle of transfer.

Consultation Questions

Q.1 Do you see benefit in having all district councils providing advice and support to local residents on electoral matters, particularly those who do not wish to use online registration?

Councils are ideally placed to provide such support but will need full resource compensation. Councils are already the democratic and civic hub of local service delivery, and it would be a natural extension to provide these additional services. In particular, with council offices or sub-offices in all main towns and cities across Northern Ireland, the general public would have access to appropriate assistance locally no matter where they reside. Whether there is only one EONI HQ or several regional offices, housing such services within councils provides an improvement to the public.

Councils would welcome EONI training of appropriate staff, although the question of financial resources to carry out services on an on-going basis would require further discussion.

Q.2 Are there other electoral services that you would like to see district councils providing locally?

Councils would be happy to *discuss* the provision of further electoral services with EONI where there is a clear benefit to the public and political representatives, a clear business case and no

resource disadvantage to councils.

Q.3 With EONI's routine work more focussed on maintaining the accuracy and comprehensiveness of the electoral register, and district councils providing advice to the public at local level, would you see a role for regional electoral offices?

It is considered that having some council areas with regional EONI offices and others without would not be politically acceptable and it would be difficult to find locations acceptable to all in terms of geography.

Additionally, there would be considerable confusion amongst the public who would not know whether to go to the council or the regional electoral office with their query. Whilst such confusion could be somewhat mitigated if the regional EONI office was placed within the council offices, nonetheless it would be detrimental to the most efficient service to the public.

NILGA would wish to see that the central EONI office dealt with the accuracy and comprehensiveness of the Register, and all other services were provided from council offices in all 11 districts.

Q.4 Should district councils have a role in delivering all elections and referendums in Northern Ireland, including Parliamentary and NI Assembly elections and referendums?

Subject to absolutely thorough resource transfer and in keeping with the roles exercised by councils in neighbouring jurisdictions, yes.

Q.5 Should councils take on the functions set out in paragraph 2.5.3 (and Annex C) at all elections and referendums?

In relation to both of the above questions, it would again fit in with the idea of councils being at the “hub of the wheel” as far as delivering services locally is concerned. Senior council staff are already well versed in the requirements for handling council elections, and hence it would be a natural progression to extend these to cover the roles outlined in paragraph 2.5.3 in respect of other elections.

Councils already select and train their own staff for council election counts, and there is a clear benefit to having such expertise for other counts in view of the complexity of the STV process for Assembly election counts. The appropriate selection and training of staff by councils could help reduce complaints about the count process which have been evident in recent non-council elections.

Councils require the guarantee of appropriate funding for taking on these responsibilities as it may well be necessary to take on additional staff to cope with the workload imposed.

Q.6 Are the safeguards set out in paragraph 2.5.5 & 2.5.6 sufficient to protect council employees undertaking electoral functions from the risk of political interference?

It is considered that the proposed safeguards outlined would be sufficient to provide appropriate protection, in keeping with protocols determined during the Review of Public Administration processes.