

# HAMPSHIRE COUNTY COUNCIL

## Decision Report

<b>Committee:</b>	Audit Committee
<b>Date:</b>	29 September 2021
<b>Title:</b>	Appointment of Returning Officer
<b>Report From:</b>	The Chief Executive

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### Purpose of this Report

1. The purpose of this Report is to confirm the appointment of the Chief Executive, Carolyn Williamson as the County Council's Returning Officer.

### Recommendation

2. That the Chief Executive of the County Council be appointed as County Council Returning Officer and that the appointment of Carolyn Williamson in this regard be confirmed.

### Executive Summary

3. The legislative framework governing the conduct of Local Government Elections is set out in the Representation of the People Act 1983 ('the 1983 Act'). By virtue of Section 35 of the 1983 Act the County Council is required to appoint a Returning Officer for the election of Councillors of the County Council. By virtue of Part 1, Chapter 7, Paragraph 7.3.4 this function is delegated to the Audit Committee.

### Contextual information

4. The established procedure within the County Council is that the Chief Executive of the County Council acts as the County Council Returning Officer. Following the retirement of John Coughlan and the appointment of Carolyn Williamson as Chief Executive it is therefore necessary to confirm the appointment of Carolyn Williamson as Returning Officer.

5. The County Council indemnifies its officers against any damages or costs which they may have been ordered to pay, or legal expenses incurred by them, arising from duties performed by virtue of their being employed by the Council provided that they acted in good faith, honestly believing that they were acting within their power and that their duty required or entitled them to do it. This indemnity applies to the Chief Executive of the County Council in her role as the County Council Returning Officer.

**REQUIRED CORPORATE AND LEGAL INFORMATION:**

**Links to the Strategic Plan**

**This proposal does not link to the Strategic Plan but, nevertheless, requires a decision because: The County Council is required to appoint a Returning officer**

**Other Significant Links**

**Direct links to specific legislation or Government Directives**

<u>Title</u>	<u>Date</u>
Representation of the People Act	1983

**Section 100 D - Local Government Act 1972 - background documents**

**The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)**

<u>Document</u>	<u>Location</u>
None	

## **EQUALITIES IMPACT ASSESSMENT:**

### **1. Equality Duty**

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

### **2. Equalities Impact Assessment:**

No equality impacts have been identified in relation to this Report

