

Request for Greater London Returning Officer (GLRO) Decision – GLRO 24-09

Appointment of additional Deputy Greater London Returning Officers

Executive summary:

This decision seeks to enable business continuity in the event the current Deputy Greater London Returning Officer is unavailable, in line with Electoral Commission performance standards through the appointment of two additional Deputy Greater London Returning Officers.

Decision:

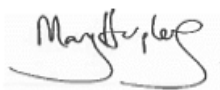
That the Greater London Returning Officer approves:

- The appointment of Lea Goddard and Ajay Patel, under section 35(4) of the Representation of the People Act 1983, to act as Deputy Greater London Returning Officer (DGLRO), with full powers to concurrently discharge all functions of the GLRO in respect of the next GLA Mayoral and Assembly elections concurrently with the GLRO and her existing appointed Deputy (Alex Conway), including in the event of their absence, incapacity or unavailability.

Greater London Returning Officer

The above request has my approval.

Signature:



Date:

16/01/2024

PART I – NON-CONFIDENTIAL FACTS AND ADVICE

Decision required – supporting report

1. Introduction and background

- 1.1. Under section 35(4) of the Representation of the People Act 1983, the Greater London Returning Officer (GLRO) has the power to appoint a deputy or deputies to discharge their functions as Returning Officer (RO). Decision GLRO20-01 appointed Alex Conway as deputy to the GLRO (DGLRO) with power to discharge all GLRO functions in respect of GLA Mayoral and Assembly elections concurrently with the GLRO.
- 1.2. Electoral Commission guidance advises the GLRO:

“You may appoint one or more deputies to assist you in delivering the election, and you should take steps to put the arrangements you identify as appropriate in place at an early stage in the process. As a minimum you should ensure that you appoint one or more deputies to assume your role in case you are unable to act personally as GLRO.”¹
- 1.3. Electoral Commission Performance Standards for ROs also make clear the requirement for the “formal appointment of deputies, ensuring clear delegations in place and roles are allocated and understood”. This includes “contingency planning to ensure readiness for unscheduled events”.² This can be inferred to include the unavailability or incapacity of the GLRO or DGLRO.
- 1.4. As already noted, the DGLRO will provide business continuity capacity in the event of the GLRO’s absence, unavailability or incapacity. However, in turn, continuity capacity is required for the DGLRO in case they are either: required to cover all or any of the functions of the GLRO or DGLRO role or if either are absent, unavailable or incapacitated.

2. Objectives and expected outcomes

- 2.1. To provide business continuity, it is proposed that two DGLROs are appointed, as follows:
 - That Lea Goddard and Ajay Patel are concurrently appointed as two additional “deputy GLROs” under section 35(4) of the Representation of the People Act 1983 with full power to discharge all or any of the functions and responsibilities of the office of Greater London Returning Officer (as outlined in GLRO20-01) as and when required by the GLRO and/or DGLRO (Alex Conway) including in the event of either’s absence, unavailability or incapacity or if the DGLRO (Alex Conway) is required to cover the GLRO role.
 - The GLRO’s appointment of the two additional deputies is concurrent with the existing appointment of Alex Conway as DGLRO and as between the new appointees.
 - Should Lea Goddard and/or Ajay Patel undertake DGLRO duties, a pro rata payment will be awarded from the existing DGLRO allowance to reflect the duration of their duties.
- 2.2. Subject to approval of this decision document, to comply with section 35(4) of the Representation of the People Act 1983, Lea Goddard and Ajay Patel’s appointments will be confirmed in writing. The appointments only apply to the 2024 GLA Mayoral and Assembly elections.

¹ Electoral Commission, [Guidance for the GLRO administering the GLA elections](#), updated 10 November 2023

² Electoral Commission, [Performance standards for ROs](#), December 2022

3. Other considerations

Key risks and issues

- 3.1. The appointment of two additional DGLROs minimises the risk of a disruption in business continuity should the existing DGLRO be either required to cover the role of the GLRO; or be unavailable or incapacitated.

Impact assessments and consultations.

- 3.2. None.

4. Equality comments

- 4.1. Under section 149 of the Equality Act 2010 (the Equality Act), a public authority is subject to the public sector equality duty and must have due regard to the need to eliminate discrimination, harassment and victimisation, and any conduct that is prohibited by or under the Equality Act; and to advance equality of opportunity and foster good relations between people who share a relevant protected characteristic and those who do not. Relevant protected characteristics under section 149 of the Equality Act are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. A person who is not a public authority, but who exercises public functions, such as the GLRO, must, in the exercise of those functions, have due regard to those matters.
- 4.2. Both these senior officers, Lea Goddard and Ajay Patel, were previously appointed to the London Elects team, following open recruitment processes and in compliance with section 39 of the Equality Act 2010. It is noted that these are contingency arrangements.

5. Financial comments

- 5.1. The pro-rata share of the existing £12,000 DGLRO allowance would be payable to Lea Goddard and/or Ajay Patel in the event that they take up the role. This is funded by the Elections budget.

6. Legal comments

- 6.1. Under section 35(4) of the Representation of the People Act 1983, the GLRO may appoint one or more persons to discharge all or any of the GLRO functions. Under the GLA Election Rules 2007 any reference to the GLRO also includes any person appointed under section 35(4) as their deputy.

7. Planned delivery approach and next steps

- 7.1. If this decision is approved, next steps are as follows:

Activity	Timeline
Appointment of Lea Goddard and Ajay Patel as DGLRO confirmed in writing	Post approval of this decision document

Appendices and supporting papers:

None.

Public access to information

Although the GLRO is not subject to the Freedom of Information Act 2000 (FOI Act), the information in this form will be published on the GLA website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it will be deferred until a specific date. Deferral periods will be kept to the shortest length strictly necessary.

Note: This form (Part 1) will be published either within one working day after approval or on the defer date.

Part 1 Deferral:

Is the publication of Part 1 of this approval to be deferred? NO

Part 2 Confidentiality: Only the facts or advice whose publication may be prejudicial or commercially sensitive should be in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form? NO

ORIGINATING OFFICER DECLARATION:

Drafting officer
to confirm the
following (✓)

Drafting officer:

Stuart Scott has drafted this report in accordance with GLA procedures and confirms that the Finance and Legal teams have commented on this proposal as required, and this decision reflects their comments.

✓

The **Deputy GLRO** has reviewed the request and is satisfied that it is correct and can be referred to the GLRO for approval.

✓

INTERIM CHIEF FINANCE OFFICER:

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

Signature:



Date:

19/01/2024