[redacted]

From: FOI
Sent: 06 December 2021 15:07
To: [redacted]
Subject: FOI 143-21 - Response
Attachments: Declaration form from CoC.pdf

Dear [redacted],

Our Ref: FOI-143-21

Thank you for your email to the Electoral Commission dated 26 November 2021.

The Commission aims to respond to requests for information promptly and has done so within the statutory timeframe of twenty working days.

Your request is shown below followed by our response.

Do Commission employees , especially those party facing , have to declare membership or support of political parties.

If yes where is this information published ?
If not why does the Commission not think it necessary ?

How many of the board have current or past political affiliations and to what parties?
Are those affiliated to smaller parties represented and if not why not ?

Our response is as follows:

We hold the information you have requested.

Commission Employees

Under paragraph 11A of Schedule 1 to the Political Parties, Elections and Referendums Act (PPERA) 2000, a person cannot be appointed to the Commission if they have been an employee or officer of a political party or held elective office during a preceding period; that period is five years for the Chief Executive, three years for Designated Posts, and 12 months for other staff appointments.

On appointment to the Commission, all staff must complete a declaration form and report whether they have undertaken any of the activities prohibited by the statutory rules or any activity that could bring into question the political impartiality of the Commission. In addition, staff are required to declare if a close family member or associate is closely involved with a registered political party or non-party campaign group. Staff are required to update the declaration on an annual basis. A copy of the declaration form is attached.

Staff declarations are held by the Commission but are not published. The information that you have requested is exempt in its entirety under section 40(2) of the Freedom of Information Act 2000. Section 40(2) provides for an exemption where the information requested constitutes personal data as defined by the Data Protection Act 2018 (DPA), and where release of the

information would breach one of the data protection principles. The information you have requested falls within the description of sensitive personal data as defined by the DPA because the information relates directly to an identifiable living individual.

Commissioners

Commissioners cannot be appointed to the Board under section 3(4) of PPERA 2000 if they are a member of a political party or hold elective office, subject to an exception in section 3A.

Under section 3A there are four Commissioners nominated by political parties for consideration by the Speaker's Committee for appointment to the Board. Three of the Commissioners are nominated by the three largest parties in the House of Commons. In addition, the Speaker's Committee invites nominations from smaller qualifying parties. The four nominated Commissioners are:

1. Lord Gilbert of Panteg – appointed 1 November 2018, nominated by the Conservative Party

2. Joan Walley – appointed 1 November 2016, nominated by the Labour Party

3. Alasdair Morgan – appointed 1 October 2016, nominated by the Scottish National Party

4. Alex Attwood – appointed 1 February 2021, nominated by Social Democratic and Labour Party

The Commission strives to be an open, transparent authority and I trust that this information satisfies your request.

If you are not satisfied with this response, please note that the Commission operates a review procedure, details of which can be found on the Commission website at: https://www.electoralcommission.org.uk/freedom-information/make-a-freedom-information-request.

Please also note that if you have exhausted all internal Commission review procedures and you are still not satisfied you have the right to appeal to the Information Commissioner. Details of this procedure can be found on the ICO website: https://ico.org.uk/.

Yours sincerely

Information Officer
FOI@electoralcommission.org.uk

The Electoral Commission
electoralcommission.org.uk

Appendix A

Declaration of external interests and/or financial interests

Name:……

External interests

Please list here any external interests. You are required to declare all interests which may represent a conflict with your role at the Commission e.g. paid and unpaid external appointments, consultancy, trusteeships, directorships, advisory and voluntary roles.

Financial interests

You are required to declare upon your appointment/engagement to the Commission and at such times that circumstances arise, any financial connection that you or your close family members or associates have that may be connected to the work of the Commission, for example a family member or associate working for a firm that is contracting or bidding for contracts with the Commission. For these purposes a close family member is defined as your spouse, civil partner, partner, children or step children, parents, or any other person with whom you live in an enduring family relationship. For these purposes an associate is defined as someone who is not a family member but with whom you have frequent or significant contact, or shared interests, and where a connection which is not disclosed might give rise to perceptions of a conflict of interest.

Personal financial interests

Family or associate financial interests

Political or non-party campaign interests of family members or associates

In addition to the declaration of political and non-party campaign activity you have made, you are required to inform the Commission if a close family member or associate is closely involved with[1] a political party or non-party campaign group[2]. This is required as additional protection for the Commission and you from any perception of political impartiality. Political and non-party campaign interests of your family members or associates should be declared here and should include details of the relationship between you together with details of their political or non-party campaign interest/association.

(For these purposes a close family member is defined as your spouse, civil partner, partner, children or step children, parents, or any other person with whom you live in an enduring family relationship. For these purposes an associate is defined as someone who is not a family member but with whom you have frequent or significant contact, or shared interests, and where a connection which is not disclosed might give rise to perceptions of a conflict of interest.)

I have discussed this declaration with my line manager and they are satisfied that it does not represent a conflict of interest.

Your signature:……..Date:……

Please submit the completed form to the HR team. A copy of the form will be retained on your personal file within the HR department.

[1] e.g. as a paid official, staff member, contractor, trustee, on a board or committee or organising activities

[2] Non-party campaigners are individuals or organisations that campaign in the run-up to elections, but are not standing as political parties or candidates. For example a charity, a faith group, a company or an individual.