

Referendum on the UK Parliamentary Voting System

Fees and Charges Bulletin No. 2

In this second bulletin we provide an update on various issues including reimbursements for public awareness activities, superannuation contributions for Counting Officers, information relating to the payment of Counting Officer fees, and an update on progress with the receipt and processing of claims. If there are any particular areas that you would like us to cover in the next update, then please get in touch with us via the contacts given below.

Reimbursement of public awareness activities within 28 days of the poll

We received claims from 30 Counting Officers by the deadline of 30 June 2011 in respect of work carried out promoting participation in the referendum on changes to the UK Parliamentary voting system. We are currently considering the claims and, where necessary, requesting further information and we hope to be in a position to make final payments towards the end of August. The criteria for making claims were laid out in the Guidance Notes for Counting Officers' Expenses and they relate solely to activities carried out on behalf of the Electoral Commission in the specific period during which legislation prevented local or central government from promoting the referendum. This facility did not replace the previous and wider participation grant that was available from Cabinet Office to promote wider participation and which the UK Government decided to discontinue in June 2010.

Counting Officers' superannuation

Further to our update in the June bulletin, we have heard that Communities and Local Government (CLG) intends to consult on a number of proposed changes to the Local Government Pension Scheme (LGPS) Regulations in August. These will include proposals to amend the regulations retrospectively to allow for superannuation contributions to be made in respect of Regional Counting Officer and Counting Officer duties. The consultation period is likely to last for 3 months and any changes will be implemented after that time. This will only apply to England and Wales as Scotland has its own arrangements. Cabinet Office has alerted the Scottish Government to the need to make consequential changes in Scotland where it will be a matter for the Scottish Public Pensions Agency.

There is no need to delay submitting claims while changes to the legislation are considered. Counting Officers will know the level of superannuation contributions they need to make provision for and they can reflect that in their claims. In the June Fees and Charges Bulletin we advised Counting Officers how this should be accounted for. However, please note that the Election Claims Unit (ECU) will not be able to reimburse any monies for superannuation until such time as the amended legislation comes into force.

Early payment of 100% of Counting Officer fees

In the June bulletin we advised on how to complete claim forms to reflect the 75% advance already paid and the remaining 25% to be paid following submission and clearance of accounts. It has been brought to our attention that some Counting Officers have already taken 100% of the maximum fee specified in the fees and charges order. This is contrary to the instructions contained within the Counting Officers' Expenses Guidance Notes where we made it clear that the amount payable for a Counting Officer's services would be paid in two parts: 75% would be paid after polling day in the week commencing 16 May, and the remaining 25% immediately following clearance of election accounts (see paragraphs 1.7, 5.5, and 8.2). As a consequence any payment taken by a Counting Officer over and above the 75% advance is not a payment that has been authorised from funds provided and is not one that is entitled to be paid prior to submission and clearance of accounts.

Counting Officers who have already taken the full fee (i.e., have taken the 25% balance of the fee already) should repay immediately the 25% to which they are not yet entitled back into their election account where it should be properly used to cover other referendum expenses.

It is our intention to produce a report on fees and charges once all accounts have been settled and we will present this to the UK Parliament. Counting Officers who have acted outside of the guidance will be highlighted in the report.

Fees and charges resources

We have updated the FAQ document to reflect recent issues raised with us and this can be found on our website alongside other fees and charges resources. Please note also that the 'Calculation of solely attributable costs' summary sheet has also now been placed on the website.

Following a review of their processes by the National Audit Office, ECU have also provided us with an additional form that can be used to record any payments made which are not supported by original receipted vouchers or invoices (see also paragraph 3.8 of the guidance notes which details when this can apply) and this will

be placed on our website by 3 August. These can all be accessed via the following [link](#) and found under the heading of 'Fees and Charges'.

Claim submissions progress to date

As at 25 July ECU had received 9 claims out of the 451 due and all are currently being processed.

We are very grateful to everyone who responded to our request for information on likely claim submission dates and we have passed this information to ECU. So far we have received indications in respect of 310 voting areas. If you have not yet responded to the request, could you please provide your local Commission office with the information as soon as possible.

From the figures returned so far 64% of Counting Officers expect to have submitted claims before the end of October.

Contacts

If you have any questions about the preparation or presentation of your claim, ECU is happy to provide help and assistance. They can be contacted at ecu@communities.gsi.gov.uk or on 030 344 43912.

If you have any queries about the content of this bulletin or comments or suggestions to make about future content or format, please contact your local regional or devolved office (details [here](#)).