

CONFIDENTIAL Report

TO: Council

MEETING DATE: 3 November 2021

TITLE: Electoral Officer appointment and other considerations for the 2022 Local body election

PRESENTED BY: Hannah White, Democracy and Governance Manager

APPROVED BY: Sheryl Bryant, Assistant Chief Executive

It is recommended that this report be considered with the public excluded, as permitted by the Local Government Official Information and Meetings Act 1987 under clause:

s7(2)(b)(ii) Third Party Commercial - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information

RECOMMENDATION FOR PUBLIC RELEASE

Once the associated companies and Electoral Officer have been informed of the resolution.

RECOMMENDATION(S) TO COUNCIL

1. That Council note an unbudgeted net expense of \$80,000 will be requested as part of the 2022/23 budget process.
2. That Council appoint **s7(2)(b)(ii) Third Party Commercial** as Electoral Officer until 31 October 2024.
3. That the Chief Executive be authorised to negotiate the details of appointment, including relevant remuneration.
4. That the decision and report be released to the public once the associated companies and electoral officers have been informed of the decision and the contract agreed.

SUMMARY OF OPTIONS ANALYSIS FOR

Problem or Opportunity	Appointment of Electoral Officer
OPTION 1:	Appoint [s7(2)(b)(ii) Third Party Commercial] [s7(2)(b)(ii) Third Party Commercial] for Palmerston North City Council and contract [s7(2)(b)(ii) Third Party Commercial]
Community Views	Not applicable
Benefits	<p>[s7(2)(b)(ii) Third Party Commercial] is based in [s7(2)(b)(i) Third Party Commercial], which until now has had less COVID disruption</p> <p>[s7(2)(b)(ii) Third Party Commercial] has familiarity with Palmerston North.</p> <p>Other Territorial Authorities in the region work with [s7(2)(b)(ii) Third Party Commercial]</p> <p>[s7(2)(b)(ii) Third Party Commercial]</p> <p>Claims faster turnaround on vote counting</p> <p>Has experience working with alternative mail provider</p>
Risks	Over-familiarity with process may lead to less process improvement opportunities
Financial	Similar total quote provided
OPTION 2:	Appoint Dale Ofoske as Electoral Officer for Palmerston North City Council and contract Election Services
Community Views	Not applicable
Benefits	<p>Rapport with Deputy Electoral Officer built through Representation Review</p> <p>Electoral Services work with Taranaki and Wellington councils</p> <p>Opportunity for fresh look at electoral services provision</p> <p>Online nomination process</p>
Risks	<p>Auckland based provider may continue to be affected in a more volatile way by COVID level changes.</p> <p>Non-financial costs of transition may be worked through only to find that the local electoral landscape is changing again soon</p>
Financial	Similar total quote provided

RATIONALE FOR THE RECOMMENDATIONS

1. OVERVIEW OF THE PROBLEM OR OPPORTUNITY

- 1.1 The Electoral Officer contract has expired. The Local Electoral Act requires local authorities to have Electoral Officer at all times and for an Electoral Officer to remain in office until a successor is appointed.
- 1.2 Council must appoint an Electoral Officer.

2. BACKGROUND AND PREVIOUS COUNCIL DECISIONS

- 2.1 Until 2018 a staff member acted as Council's Electoral Officer. Since 2018 Electoral Officer services have been contracted to [s7(2)(b)(i) Third Party Commercial], with [s7(2)(b)(ii) Third Party Commercial] acting as Palmerston North City Council's Electoral Officer.
- 2.2 The Electoral Officer is responsible for ensuring the election is held in accordance with the statutory provisions set out in the Local Electoral Act.
- 2.3 Of the 78 local authorities, 74 contract their election management to one of [s7(2)(b)(i) Third Party Commercial] private election service providers: Election Services and [s7(2)(b)(i) Third Party Commercial]. These service providers are both experienced and knowledgeable (more than three decades each) in local electoral law and processes. Contracted services allow for both this knowledge and resourcing and the independence of the electoral process including electoral roll maintenance, candidate management etc.
- 2.4 The Deputy Electoral Officer role is delegated to the Council's Democracy and Governance Manager. The Deputy Electoral Officer acts as the liaison on the ground, ensuring appropriate proofing and sign off and including special vote processing. Coordination of voter facilitation activity also sits at local level. The Deputy Electoral Officer will encourage activities which best reflect the characteristics of the community within the resource constraints, while ensuring the neutrality of the Chief Executive. There is currently approximately \$30,000 set aside in the budget to advertise and promote elections by encouraging voter registration, candidate nomination and voting participation.
- 2.5 The Local Government Act s42(2)(da) requires the Chief Executive to facilitate and foster representative and substantial elector participation in elections and polls held under the Local Electoral Act 2001.
- 2.6 Palmerston North City Council put forward a remit to the 2021 Local Government New Zealand Annual General Meeting that this power be removed and placed with the Electoral Commission.

- 2.7 The central government is currently conducting a review of electoral law, including the possibility for aligning parliamentary and local electoral frameworks to address voter turnout decrease since 1989. The Justice Select Committee received the final report on the Inquiry into the 2019 Local Elections and Liquor Licensing Trust Elections, and Recent Energy Trust Elections in July 2021. Amongst several recommendations are recommendations that the Government:
- make the Electoral Commission responsible for leading and co-ordinating triennial, nationwide campaigns to encourage and support people standing for and voting in local elections, using the same imagery and branding as the publicity campaigns for national elections
 - fund such campaigns by a mixture of levies on local authorities (consistent with the average amount spent by local authorities per voter in 2019) and central government funding
 - review the Local Electoral Act 2001 to ensure it is fit for purpose
 - make the Electoral Commission responsible for the oversight of local elections, including the regulation of election service providers at a minimum
- 2.8 The central government decision to replace district health boards with a new crown entity, Health NZ and the Māori Health Authority to transition in July 2022 mean that the 2022 local body elections will not include the election of health boards. The consequence is that the burden for the share of costs until now covered by the Mid Central Health Board for elections in Palmerston North City will fall on the City Council. Thus, the Council needs to be aware that the revenue received against costs incurred for the election will reduce by approximately \$70,000 against the approved budget, and there will be an estimated cost increase of \$10,000. This can be attributed to a range of factors including economies of scale, growing population and rise in postal costs across New Zealand.
- 2.9 The Local Electoral Act requires elections to be held by postal ballot. For the 2020 by-election the Council contracted DX Mail to be responsible for election post.
- 2.10 The 2022 Palmerston North City Council election will include General and Māori ward candidates for the first time and as a consequence General and Māori roll voters.

3. QUOTES FOR SERVICES

3.1 Appoint **s7(2)(b)(ii) Third Party Commercial** for Palmerston North City Council and contract **s7(2)(b)(ii) Third Party Commercial**

A quote for services has been provided, which includes an estimated overall cost of election services and third-party items (including postal services and before Horizons Regional Council cost recovery) of \$ **s7(2)(b)(ii) Third Party C**

3.2 Appoint Dale Ofoske as Electoral Officer for Palmerston North City Council and contract Election Services

A quote for services has been provided, which includes an estimated overall cost election services and third-party items (including postal services and before Horizons Regional Council cost recovery) of \$ **s7(2)(b)(ii) Third Party**.

4. CONCLUSION

4.1 That Council appoint **s7(2)(b)(ii) Third Party Commercial** as Electoral Officer for Palmerston North City Council and contract **s7(2)(b)(ii) Third Party Commercial** until 31 October 2024.

5. NEXT ACTIONS

5.1 The appointment will be informed, and the contract negotiated with the service provider, so that election administrative preparation can begin.

5.2 Should Council seek to extend its activities for encouraging voter participation, that appropriate direction and resourcing be considered.

COMPLIANCE AND ADMINISTRATION

Does the Council have delegated authority to decide?	Yes
Are the decisions significant?	No
If they are significant do they affect land or a body of water?	Choose an item.
Can this decision only be made through a 10 Year Plan?	No
Does this decision require consultation through the Special Consultative procedure?	No
Is there funding in the current Annual Plan for these actions?	Yes
Are the recommendations inconsistent with any of Council's policies or plans?	No

The recommendations contribute to Goal 5: A Driven & Enabling Council	
<p>The recommendations contribute to the achievement of action/actions in Governance and Active Citizenship</p> <p>The action is:</p> <ul style="list-style-type: none"> • Clarify and communicate governance and management roles. • Run local body elections every three years and any polls. 	
Contribution to strategic direction and to social, economic, environmental and cultural well-being	Securing an electoral officer now will allow preparations to begin for the 2022 local body elections.

ATTACHMENTS

Nil