

Human Resources

Elections Staffing Policy

Protocol History			
Version	Summary of Change	Contact	Implementation Date
1	A new protocol to clarify and make consistent existing practice related to the staffing of elections by Haringey employees.	HR Team	May 2014
1.1	Clarity over scope and total time off permitted, simplifying some provisions		
2	Amended following Trade Union consultation	HR Team	October 2023

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1. Purpose

This protocol details the principles for employees of Haringey Council, who are employed by the Returning Officer for Elections roles to support an election, including but not limited to:

- presiding officers
- poll clerks
- count staff across all roles
- Staff working on the issue or opening of postal votes
- Polling and Security (PAS) staff
- Support roles (for example Porters, Building Support Officers, Traffic marshals, IT support staff)

This protocol does not confer any contractual rights and may be amended by the Council at any time.

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2. Scope

- 2.1. The protocol does not apply to those who are based in a School with a delegated budget.
- 2.2. This protocol excludes Agency Workers and all other non-employees either who currently perform work on behalf of Haringey Council or who are recruited specifically to perform work in connection with the election.
- 2.3. This protocol does not apply if you assist at an election in another council, or geographical area outside of Haringey.
- 2.4. With the exception of 3.14-3.17, this protocol does not apply to members of the core Electoral Services team nor to members of the Elections Management Team. These employees spend a proportion of their normal working time planning for and delivering elections.
- 2.5. This protocol will apply to:
 - Parliamentary elections
 - Haringey Council elections
 - Mayor of London and London Assembly elections
 - Referendums
 - Neighbourhood Planning Referendums
 - Parish / Town Council elections (if any are established)
 - Any by-elections of the above
 - Any other election / referendum held within the London Borough of Haringey, the responsibility of which is the holder of the post of Returning Officer as set out in the Council's constitution.

3. Principles

- 3.1. Recruitment to Elections roles is undertaken by the Returning Officer as the Employer, and not the Council. The Returning Officer wishes to ensure that elections are appropriately staffed, and this includes increasing the number of Council staff who are employed to work at election time. Recruitment strategies will reflect this.

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- 3.2.** The Returning Officer uses Haringey Council Human Resources to ensure that applicants are suitable for roles, on a cost recovery basis. The Returning Officer does not employ staff who are on sick leave from the Council.
- 3.3.** Employees appointed to assist in the elections are entitled to up to two days of special paid leave per election to undertake election duties, at the discretion of the Chief Executive. Any further election duty must be completed in the employee's own time. This could be outside of working hours, or by taking flexitime, TOIL or annual leave, for example. Exceptionally, the Chief Executive may vary this where necessary to ensure the election is successfully managed.
- 3.4.** Employees who are not scheduled to work on the day that they are employed by the Returning Officer will not be entitled to compensating time off.
- 3.5.** The Returning Officer will arrange payment to employees for the duties / hours worked in line with fees that will be set out in appointment letters. The payments will be made through the Returning Officer's payroll. The Returning Officer currently uses Haringey Council as a payroll provider, on a cost recovery basis.
- 3.6.** The Returning Officer's payroll is separate to the Council's, meaning all staff employed by the Returning Officer will be subject to Right To Work checks and will be required to provide their personal details including those required by HMRC and those needed to make payment by BACS. The Returning Officer uses Haringey Council Human Resources to make these checks on a cost recovery basis.
- 3.7.** Payment will be subject to tax as per the prevailing HM Revenues and Customs legislation, however, will not be subject to National Insurance Contributions, in line with the legislation. Employees of the Returning Officer may be able to join the RO's pension scheme. Details will be provided in appointment letters.
- 3.8.** The Council, as a democratic organisation, recognises the benefit of its own employees working on behalf of the Returning Officer. In order to release as many employees as possible for election duties whilst maintaining service delivery, the Chief Executive may decide to restrict annual leave on the day(s) where the Returning Officer employs staff.

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- 3.9.** Notwithstanding 3.5 above, all absence from normal duties to assist at an election is subject to the prior agreement of the line manager, which will not be unreasonably refused. The line manager will consider requests from employees for time off from work to assist at elections fairly taking into account the business needs of the department and the necessity of these posts for the country's democratic processes. The default position will be that employees will be released unless there is a good reason why they should not be.
- 3.10.** If employees are working in a polling station and cannot get to their usual polling station to vote, they should apply for a postal vote. Exceptionally, there are provisions that can apply in some circumstances to allow employees to vote at a polling station other than their own.
- 3.11.** It is illegal to undertake an election duty if an employee is employed by, or on behalf of, a candidate at that election, and/or have signed a nomination paper for one or more candidates. The legal definition of employee includes working in a voluntary capacity. Employees will be required to confirm in writing that they meet the criteria for employment by the Returning Officer as part of the appointment process.
- 3.12.** Employees who work particularly closely with Elected Members may not be able to perform certain roles for the Returning Officer. The Returning Officer's decision on these matters is final.
- 3.13.** Training is compulsory for all polling station staff and a number of other key roles. Where the Returning Officer confirms training is required, employees will not be allowed to work without it. Electoral Services will work with Haringey Council's Learning and Development team to deliver the training, on a cost recovery basis.
- 3.14.** It is recognised that the core electoral services team are required to work very long hours in the run up to, and during, elections. This will normally be remunerated by the Council's usual process for additional hours. It is however recognised that sometimes it may be more appropriate to pay agreed rates in the London Council's Scale of Fees and Charges for Election Duties and/or any Scale of Fees produced by Central Government or other election funding body; or as decided by the Returning Officer.
- 3.15.** There are various ancillary roles at elections. Those employed in such roles will be paid an appropriate fee as determined by the Returning Officer, taking into account the additional hours required to perform the duties, when they are needed to be performed and whether the role(s)

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would reasonably be seen to form part of their main employment with the Council.

- 3.16. The core electoral services team, and any ancillary staff undertaking work for the Returning Officer are required to keep, and make available when necessary, accurate time-keeping records. This needs to include details of roles undertaken when working any additional hours.
- 3.17. Certain roles at elections and in the build up, including those performed by the core election team, require long and unsocial hours. It is recognised that it will sometimes be necessary to provide subsistence, and the Council will pay for reasonable costs in this regard. The Head of Electoral Services will decide what is reasonable.

4. Procedure

4.2 **Presiding Officers, & Polling Clerks, Polling Station Inspectors and other roles on Polling Day including PAS staff**

If an employee is appointed to a role on polling day, they are entitled to paid time off from work on polling day to perform these duties. The employee will be expected to return to work the next day as normal and at their usual start time. If the employee wishes to take the following day off, they must request permission from their line manager. This day can be taken as annual leave or an employee can request to use time off in lieu (TOIL), according to the TOIL and Flexi Time procedure.

Where an employee is employed as a clerk at the close of poll, this will be in the own time of the employee unless they were scheduled to work at that time. Where the close of poll finishes at the venue after 2 a.m, the provisions in 4.3 below will apply as the role will be treated as a count role.

4.3 **Count Roles**

If an employee is appointed to a role at the election count, they are entitled to one day's special paid leave (either the day of the count if the count is a day-time count, or if an overnight count, the day leading up to the count or the day immediately after the count).

4.4 **Postal Voting and other roles**

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If an employee is appointed to a role linked to other aspects of the election, such as the issue and opening of postal votes, they are entitled to no more than two days' special paid leave to work on electoral duties. When taking two days leave, the employee must be undertaking two days of election work.

4.5 Two or more roles

Where an employee is appointed to two or more roles the time off from work must be discussed with their line manager in advance. However special paid leave will not exceed two working days per election based on the normal working hours of the employee.

4.6 Time off for training

Where the training sessions are held during the working day, additional paid time off from work (on top of the two days) is allowed to attend a training session. Fees paid are inclusive of an amount for attending training.