

Item: 10

Orkney and Shetland Valuation Joint Board: 14 December 2023.

Best Value – Progress Report.

Report by Assessor and Electoral Registration Officer.

1. Purpose of Report

To present a progress update, as required by the Board's Best Value Regime, for the reporting period April 2023 to October 2023.

2. Recommendations

The Valuation Joint Board is requested to scrutinise the contents of this report and discuss any issues identified.

3. Background

Under the Board's Best Value submission, it states that the Assessor and Electoral Registration Officer would produce six monthly Progress Reports for presentation to meetings of the Board.

4. Introduction

The statutory duties of the Assessor and Electoral Registration Officer are to prepare, maintain and publish the Valuation Roll, the Council Tax Valuation List and the Register of Electors. This report describes these three duties in more detail and presents to the Board details of the main tasks completed between April 2023 and October 2023.

5. Electoral Registration – Overview and Priorities

5.1. 2023 Annual Electoral Registration Canvass

5.1.1. Initial Form Issue

5.1.1.1.

The annual canvass is nearing completion with the revised annual register scheduled to be published on 1 December 2023.

5.1.1.2.

National and Local Data Matching of Registers produced the following split of households into Route 1 (expected 'no change' households) and Route 2 (expected change households) canvass workflows. There are also a small number of Route 3 properties: care homes, hostels etc. who are canvassed similar to Route 2 properties.

5.1.1.3.

Forms were issued on 2 August 2023 as follows:

	Orkney	Shetland
Route 1	10533	9458
Route 2	1748	2442
Route 3	3	12
Total	12284	11912

5.1.2. Reminder Forms Issue

5.1.2.1.

Responses are required from all Route 2 properties and Reminder Canvass Forms for these properties were issued on 11 September 2023. The number of reminder forms issued are shown below:

	Orkney	Shetland
Route 2	1112	1456

5.1.2.2.

In addition to reminder forms mailed to properties two issues of encouragement emails were sent out to all Route 2 properties this year where sufficient contact details were held.

5.1.3. Door to Door Canvass

5.1.3.1.

Canvassers are visiting Route 2 properties where a response has not been received to correspondence. For some outlying islands, telephone canvass of properties may also be carried out, where sufficient information is held. The number of properties to be visited across the two council areas are as follows:

	Orkney	Shetland
Personal Contact Canvass	848	1070

5.1.3.2.

As in 2022 the door to door canvass is being carried out on a tablet based system. The use of tablets makes for more efficient processing of records and canvasser feedback from last year has been positive.

5.1.3.3.

The form numbers at each stage of these processes are very close to those of 2022 indicating a strong consistency in the processes we are undertaking and the public's response to them.

5.2. Elections Act 2022

5.2.1.

Implementation of the Elections Act 2022 continues to progress.

5.2.2.

Earlier in 2023 the legislation was introduced to require voters at a polling station for a Westminster (reserved) election to present photographic ID to confirm their identity to allow them to vote. If an elector does not hold suitable ID and are included on the Register of Electors, the ERO can furnish them with a Voter Authority Certificate after the determination of a suitable application. While this facility has now been available for a number of months, public uptake has been extremely low so far in Orkney and Shetland. This is to be expected, as this is an election based requirement. As a General Election must be held by January 2025, the facility to produce such certificates is available in both offices of the board, including by personal visit to the office by electors.

5.2.3.

The Department of Levelling Up Housing and Communities have allocated funding to the ERO to cover implementation of the Elections Act 2022 and associated training for staff. We have received our allocation and this is being used to cover the costs of training for staff, joined up working between our offices and additional expenses involved in the implementation of the Act. The Depute ERO and senior electoral staff have attended online training provided by the Department for Levelling Up Housing and Communities (DLUHC), the Association of Electoral Administrators (AEA) and our Electoral Management System software providers, Idox. This training has covered all aspects of the Elections Act 2022 which have now come into force.

5.2.4.

The Scottish Assessors Association Electoral Registration Committee has been actively involved in all aspects of the implementation of the Act both by its regular meetings and other specially convened events, The ERO and Depute ERO continue to be active members of this group,

5.3. Elections/By Elections

No elections or by elections were held during this period. The ERO and Depute ERO attended a joint conference organised by the Electoral Management Board and the Electoral Commission, 'Preparing for a UK Parliamentary Election and Beyond', held on 6 October 2023 in Dundee.

5.4. Main service priorities for October 2023 to March 2024

5.4.1. Electoral Management System (EMS)

Our EMS provider has supplied significant updates to the software which is used to manage the running of both the registration and absent voting functions and also the implementation of the Elections Act 2022. The execution of these updates requires liaison with IT support services at both constituent Councils. These upgrades are being implemented by all Electoral Registration Officers throughout the UK. Future upgrades will be made available as further parts of the Act become law and the associated secondary legislation is implemented.

5.4.2. Elections Act 2022

5.4.2.1.

Tranche 2 of the Elections Act implemented on 31 October 2023 includes the implementation of legislation regarding the administration of the absent vote process. As with the previous sections of the Act, in Scotland these measures only apply to Westminster Parliamentary (reserved) elections and the registration and absent voting arrangements applicable to them. There are no changes to the arrangements for Scottish Parliamentary and Local Council (devolved) elections or the processes applicable to them. The divergence in legislation between reserved and devolved polls, will therefore, in essence, require the ERO to run two distinct absent voting administration processes in parallel.

5.4.2.2.

New working practices will be implemented to incorporate these changes including the provision of online absent voting applications, with electors being required to undergo a verification process, similar to that required for registration applications. To facilitate this, the newly created ERO Portal, administered by DLUHC, will be available to electors to make applications and EROs in turn to process those applications and incorporate them into the local office's EMS. For reserved elections, electors will no longer be able to put in place a permanent postal vote arrangement with a five year signature refresh, as at present, but will be able to make an application for a maximum period of three years before being required to reapply.

5.4.2.3.

Changes have also been made to the proxy voting process for reserved elections and again an online application process will be available. New regulations have come into place regarding the appointment of proxies and the number of electors that another elector may be appointed as proxy to vote on behalf of in respect of reserved elections.

5.4.2.4.

In January 2024 a further set of new measures will come into force regarding the registration and absent voting arrangements of Overseas Electors. To date an elector who is a British citizen can qualify to register as an Overseas Elector for a period of up to 15 years, since being registered as an ordinary elector resident in the registration area. Such electors are required to re-register each year. The Elections

Act 2022 will now introduce the facility for such electors to register as Overseas Electors indefinitely by making three yearly applications. Additional online registration and absent voting facilities for Overseas Electors will also be made available through the ERO Portal.

5.4.2.5.

The ongoing implementation of the Elections Act has already required significant investment of staff time and resources and will continue to do so in legislative and EMS training and implementation of new working practices as these become business as usual activities. Regular software updates will continue to require the resources of the IT Services within each constituent council.

5.4.2.6.

The additional requirements of the Elections Act will be required in the lead in to the next General Election and much of these matters will only come fully into the public awareness at that time. Until that date is announced our offices will work on implementation and preparedness, undertaking all available training as required.

5.4.2.7.

Publicity of new requirements will be undertaken in conjunction with the Returning Officer and constituent Councils' Communications staff ahead of the next General Election. The Depute ERO is a member of a newly formed Electoral Commission Scottish Electoral Registration Communications & Outreach Network.

5.4.3. Annual Ongoing Electoral Registration

5.4.3.1.

Outwith the annual canvass period all individuals who can be identified as having changed address using Council Tax records (including new builds and house sales), Council Housing Tenancy records and Housing Association records etc. are targeted with Invitation To Register (ITR) forms. These changes also highlight electors who are no longer resident and we use this information to go through the necessary processes to remove electors who are no longer entitled to be registered.

5.4.3.2.

Local promotion of the Electoral Commission's 'Welcome to Your Vote' campaign to encourage awareness of the democratic process and the requirement for voter registration, through schools and youth groups. It is hoped that this initiative along with our own registration efforts at targeting young people with Invitation to Register forms will increase the number of young people on the register.

5.4.4. Business as usual activities

- Plan, undertake and action continued staff training on changes to electoral legislation and the EMS.
- Follow up all ITR forms issued outwith the annual canvass period.
- Continue to process all registration and absent vote applications received, by whatever method.

- In January 2024 carry out the annual absent vote signature refresh process on the required electors, on this occasion for devolved postal and proxy votes only.
- Both offices have recently recruited new members of staff into the existing Business Support Assistant posts and their ongoing training to be the first point of contact within each office for all services with particular specialisation in the Electoral Registration function, will be ongoing.

6. Council Tax – Overview and Priorities

6.1. Background

The Assessor is required to maintain the Council Tax Valuation List for his area by amending it to reflect new, altered and demolished properties. Additionally, he must dispose of any proposals which are made against any entry in the Council Tax List.

6.2. New Entries

As at 30 September 2023, there were 11,761 chargeable dwellings in Orkney and 11,669 in Shetland. These figures include the addition of 58 new dwellings in Orkney and 56 in Shetland over the 6 month period.

6.3. Proposals/Appeals

The numbers of Council Tax proposals/appeals remain at very low levels in Orkney and Shetland. Proposals to alter bands are dealt with as business as usual queries in the first instance and it is unusual that any proceed before the First-tier Tribunal (formerly to Valuation Appeal Committee). At 30 September 2023, there was 1 outstanding valid proposal across Orkney and Shetland.

6.4. Service Priorities October 2023 to March 2024

The current service priorities are summarised as follows:

- Continue to implement the migration of data over to new IT system, and ensure staff are comfortable using it.
- In light of recent changes to staff and current vacancies, improve the time taken between completion of new dwellings and the insertion of the dwelling in the Council Tax List in accordance with performance targets.
- Once again in the context of recent staff changes/vacancies, to improve the time taken between the sale of houses which have been altered and the date their Council Tax Band is changed.
- Ensure current vacancies (0.5 FTE in Orkney and 0.4 FTE in Shetland) are filled as soon as possible. Continue to resolve proposals and appeals against Council Tax banding.

7. Non-Domestic Rating – Overview and Priorities

7.1. Background

7.1.1.

The Assessor is required to carry out a general Revaluation of all Non-Domestic properties. Historically this was generally carried out every 5 years, but from 1 April 2023, Revaluations take place every 3 years. The most recent general Non-Domestic Revaluation took effect from 1st April 2023, with a valuation date of 1 April 2022.

7.1.2.

The Non-Domestic Rating (Scotland) Act was passed in March 2020 and The Non-Domestic Rates (Scotland) Act 2020 (Commencement No.2 and Transitional Provisions) Regulations 2020, specified a range of dates, from November 2020 to April 2023, on which various sections of the Act have come into force. Grant funding of £69,958 per island area (£139,916 in total) was provided for 2023/24 to assist with the implementation of reforms. As part of the transition the Board procured a new valuation system and recruited two Graduate Apprentice Valuers, one in each area office.

7.1.3.

The existing powers and duties of the independent local Valuation Appeal Panels/Committees passed to the First Tier Tribunal (FTT) of a newly formed Local Taxation Chamber of the Scottish Courts and Tribunals Service (SCTS), effective from 1 April 2023.

7.1.4.

The Assessor is required to maintain the Valuation Roll for his area by amending it to reflect a number of circumstances including physical changes to properties. Any such change to the Valuation Roll may be appealed by relevant parties.

7.2. Maintenance of the Valuation Roll

7.2.1. Valuation Roll Statistics

As at 30 September 2023, there were 2,619 entries in the Orkney Valuation Roll with a Rateable Value of £32,929,145 and 2,339 in the Shetland Valuation Roll with a Rateable Value of £62,326,320.

7.2.2. 2017 Revaluation Appeals

427 Revaluation appeals were received in relation to the 2017 Revaluation. These were all settled prior to the requirement to send them to the Lands Tribunal for hearing and determination.

7.2.3. Coronavirus and Running Roll Appeals

In response to the Covid-19 pandemic, 353 appeals were received over 2020 and 2021. 200 of these appeals were withdrawn, and the remaining 153 were sent to the First-tier Tribunal earlier this year, and they are currently in the process of contacting appellants to see if they wish to proceed with appeals.

7.3. 2023 Revaluation

7.3.1.

The 2023 Revaluation was completed on time, with the new Valuation Roll coming into force on 1 April. At a local level, over 5000 entries were revalued within a significantly compressed valuation timetable due to a 1-year Tone Date required by the new Regulations. The process was time consuming and resource intensive particularly as we were actively migrating individual property details to a new IT system. Ahead of the Revaluation, for the first time, Draft valuations were provided by 30 November 2022.

7.3.2.

Rented property lists have been made available for the first time for a significant number of subjects valued on the comparative method of valuation. Ratepayers were able to view a list of properties which the Assessor took cognisance of before setting the basic rate. These have been available at the SAA portal and details of how to find the lists were issued with draft valuation notices. This is now an additional statutory requirement of the Assessor going forward.

7.3.3.

In line with Barclay Reforms, following Revaluation, a 4-month window was given to ratepayers to submit proposals to alter their rateable values, however, this was extended by a month by the Scottish Government. Within this period, we received 196 proposals, and in conjunction with the SAA, we are currently making preparations to deal with this workload.

7.4 Non-Domestic and Council Tax Valuation IT Systems

7.4.1.

While some use is still made of our former system for reasons of resilience and risk mitigation, we are more or less wholly migrated to our new IT system. The 2023 Revaluation was fully undertaken on the new valuation system. The process of Revaluation has afforded the opportunity to identify and refine non-domestic data migration issues.

7.4.2.

We are currently liaising with both constituent authorities to obtain planning and building information in a format that will allow direct upload to the new valuation system. This automated process will replace the current manual procedure and help deliver efficiencies.

7.5. Service Priorities October 2023 to March 2024

The current service priorities are summarised as follows:

- Commence dealing with proposals to alter values from the 2023 Revaluation.
- Pursue rental, turnover and cost information to assist with Revaluation 2026.
- Survey and value new property for alterations to existing properties to ensure that the Valuation Roll is as complete and accurate as possible.
- To upload all records to the Scottish Assessors Portal on a weekly basis through the new valuation system.
- Monitor staff training requirements for efficient continued use of the new valuation system.
- Support trainee valuers through their courses of degree and RICS APC studies.

8. Shetland Office Accommodation

A meeting between the Assessor and a representative from Estates at SIC took place on 27th September 2023. During that discussion, it was clarified that use of an upstairs office within 20 Commercial Road by our staff is acceptable. That alleviates short-term concerns regarding available space for our staff in Lerwick. We will continue to keep in touch with SIC about use of the overall building to ensure we have security of tenure and that an acceptable working environment can be provided, not only for staff, but also for the purposes of accommodating visiting members of the public. However, while providing adequate space in terms of floor area, this arrangement is not ideal in terms of layout, and therefore we have asked SIC to keep us in mind for potential alternatives in its estate. The situation will continue to be monitored, as any change in circumstances requiring alternative accommodation to be sourced is likely to have a budget implication in the form of higher property costs.

9. Financial Implications

Any costs arising in pursuance of Best Value would be met from approved budget allocations. Any additional financial pressures arising from sections 5.4.2 (Elections Act), or 8 (Shetland Office Accommodation) will be reported to the Board.

10. Governance Aspects

The content and implications of this report have been reviewed and, at this stage, it is deemed that the Board **DOES NOT** require external legal advice in consideration of the recommendations of this report.

11. Contact Officer

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