

General Purposes Committee

AGENDA STATUS: PUBLIC

Report Title	INDIVIDUAL ELECTORAL REGISTRATION WHITE PAPER
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Date of Meeting:	Tuesday 6 September 2011
Directorate:	Chief Executive's Office
Ward(s)	All

1. Summary

- 1.1 To provide the Committee with an overview of the proposals published in the White Paper on Individual Electoral Registration and an analysis of the implications of the proposals, which will form the Council's response to the consultation.

2. Recommendations

- 2.1 That the Committee endorse the analysis of the implications of the proposals of the White Paper for inclusion in the Council's response to the consultation.
- 2.2 That the Committee notes the potential additional cost and resource that will be required to fund the proposed changes in the Electoral Registration process.

3. Report Background

- 3.1 The electoral register is the building block in providing Electoral Services with a record of those people entitled to vote at the various UK elections. In the last Parliament legislation was passed to move to a system of Individual Electoral Registration, requiring each elector to register to vote individually, rather than by household as happens at the moment, and for each elector to provide personal identifiers which will allow each person's application to be verified before they are added to the register.
- 3.2 In June 2011, the Cabinet Office published a White Paper setting out its plan to accelerate the implementation of Individual Electoral Registration and also to do so in a way that will modernise the electoral registration system so eligible people can register themselves more easily and in many different ways.
- 3.3 The main drivers for the reform include tackling electoral fraud, which has been identified as a contributory factor to financial crime. Individual Electoral Registration is also intended to result in a more complete and accurate electoral register and make the registration system more accessible to under-represented groups and to those with special requirements, including disabled people.

- 3.4 The implementation of Individual Electoral Registration is planned for 2014 – ahead of the next UK Parliamentary general election. There will no longer be a voluntary phase as had previously been discussed. Instead there will be a transition period which will mean that electors who do not register under the new system in 2014 will be carried forward onto that year’s register and will not lose their entitlement to vote at the 2015 General Election.
- 3.5 Alongside the consultation on the White Paper, the Government is running a series of ‘Data Matching’ pilot schemes, which will compare a number of local electoral registers against different databases to check accuracy and to identify people who may be eligible to register to vote. These people would then be invited to apply to register. If the pilot schemes are successful the Government will look at how this can be extended across the country.
- 3.6 Following the publication of the White Paper, officers from Electoral Services attended a consultation event hosted by the Cabinet Office. At the event electoral services staff were given the opportunity to debate the proposals contained within the White Paper and make observations and suggestions.
- 3.7 The Association of Electoral Administrators (the organisation that provides help, support and representation for election professionals) intends to submit a response to Cabinet Office as part of the pre-legislative scrutiny consultation and an evidence paper to the Political and Constitutional Reform Committee on the 15th September. In general, the AEA is supportive of the proposals and has been campaigning for Individual Electoral Registration to be introduced for over a decade.
- 3.8 The implications that are discussed in part 4 below will form the basis of NBC’s response to the Electoral Commission as it seeks comments and views from as wide a range of people as possible on the proposals contained in the White Paper.

4. Implications (including financial implications)

4.1 Resources and Risk

- 4.1.1 The Government is committed to fully funding the costs, including costs to local authorities, of the move to Individual Electoral Registration, which is estimated to be £108.3 million. The concern is that following the transfer to the new system, Councils will be required to fund the almost inevitable increases to the cost of registration themselves. With individual forms and a multi-layered process, the cost of printing alone is expected to more than double. At the moment the Cabinet Office is still consulting on the process and until they publish more definitive proposals it is not possible to provide an accurate forecast of costs. In addition, due to the increased administrative requirements, there is anticipated to be increased staffing costs.
- 4.1.2 The White Paper proposes to modernise the system of registration by replacing the largely postal and paper based methods of maintaining the register with other registration methods such as telephone or online. Such methods are already available to register electors when there are no changes to their personal details, and this has proved to be a significantly cheaper way to register than by traditional means. NBC therefore supports the proposal to “put in place a framework which reflects more closely how people choose to engage with Government and create flexibility for the system to keep pace with technological developments”.

4.2 Legal

- 4.2.1 The consultation proposes to remove the current offence (under regulation 23 of the Representation of the People Regulations 2001) of failing to comply with a request for information from an Electoral Registration Officer. This regulation currently means that a person who refuses to complete a registration form is liable for a maximum fine of £1000. The White Paper justifies this proposal by stating that “It is not compulsory to vote in our elections and nor will we compel people, so it is sensible that registering to vote should also be a choice for the individual concerned”. The current offence will continue to apply for the household canvass (when a Household Enquiry Form will be sent to each household to enquire whether there are any changes in inhabitants), thus allowing those who fail to respond to an enquiry to be prosecuted, but it will not apply to those who choose not to return an individual application form. There is concern among elections professionals that by removing the legal requirement to register that registration rates will drop. Given that this proposal goes hand in hand with the Government’s commitment to doing “more to encourage people to register” if there is a fall in registration rates, this will almost certainly result in Councils being required to expend more time and resource to increase promotional activity around elections and registration. In addition, there is concern that the different penalties attached to participating in different elements of the registration process could lead to significant confusion among the electorate.
- 4.2.2 The electoral register currently contains the names and addresses of each person registered to vote. The White Paper does not propose any changes to the data currently held on the electoral register. However, in order to be able to verify the legitimacy of the electoral registration, it is proposed that Electoral Registration Officers should collect the National Insurance Number and Date of Birth of each applicant. These would be verified against a national database, and at the end of verification the National Insurance Number data held by the Electoral Registration Officer would be deleted. The data on Date of Birth would be retained to enable more accurate comparison of entireties to allow ineligible duplicate entries to be removed, but would not be included in the register itself. NBC is generally supportive of this approach and appreciates that this will aid in combating electoral fraud, however it is concerned that the requirement to provide this information may be viewed as too onerous by the electorate and may deter some people from registering.
- 4.2.3 The White Paper also states that any unreturned Individual Electoral Registration Application Forms (the document that will be sent to an individual requesting their National Insurance Number and Date of Birth) will also be followed up for a response. If it is legislated that this follow up must include a door step canvasser visiting the property, there is concern that this process will be very costly and time-consuming as the canvasser has to wait for people who don’t know their National Insurance Number by memory to find it. The effectiveness of this stage in the process is also brought into question as it is unlikely that all the individual applicants will be at home when the canvasser calls, leaving many forms uncompleted.

4.3 Other Implications

- 4.3.1 The White Paper proposes to modernise the system of registration by replacing the largely postal and paper based methods of maintaining the register with other registration methods such as by telephone or online. Such methods are already available to register electors when there are no changes to their personal details, and this has proved to be a significantly cheaper way to register than by traditional means. NBC therefore supports

the proposal to “put in place a framework which reflects more closely how people choose to engage with Government and create flexibility for the system to keep pace with technological developments”.

- 4.3.2 It is proposed that the transition to these arrangements will begin by sending a personally addressed Individual Electoral Registration Application Form during the canvass period in late summer/autumn 2014 to every elector on the register. For households where there is no currently registered elector, or where the Electoral Registration Officer is aware that the entry on the register is no longer correct, a Household Enquiry Form will be sent to the household to identify potential eligible electors. The Council supports the view expressed in the White Paper that carrying out a full household canvass in 2014, followed by a write out on conclusion of that canvass would be both unjustifiably expensive and compress the timetable for registration too much ahead of the 2015 General Election, as well as risk confusing people who may not respond to an Individual Electoral Registration invitation having already responded to a canvass – believing that they have already done enough to register. In addition, the Council supports the proposal that the Individual Electoral Registration Application Forms be issued by all Electoral Registration Officers at the same time and on the same day so that the benefit of any public awareness campaign run by the Electoral Commission is achieved. The Council feels that it is imperative that a national campaign is run alongside the transition to individual registration in order to help the electorate understand the new process and its implications. The Council would recommend that this deadline be towards the end of August to give printers the time and capacity to prepare forms for the entire country to be issued on the same day. It is recommended that the Cabinet Office seeks feedback from elections printers on this matter.
- 4.3.3 The White Paper outlines the process for Annual Canvass from 2014 (fig. 81 – 91) and states that “the time of the dispatch of Housing Enquiry Forms is expected to be a matter for Electoral Registration Officers but we will want to consider whether in the future this should be within a specified period to maximise the effects of any information campaign being run by the Electoral Commission”. With the increasing steps that an elector must go through to ensure that they are registered, it is thought by the Council that it is imperative that a national awareness campaign is delivered and that this coincides with the date of a national dispatch of Housing Enquiry Forms. It is recommended that this process be able to commence earlier than currently if the process of writing out to all properties and then getting back Individual Electoral Registration Application Forms from new occupants and determining whether any person deleted from the Housing Enquiry Form should be removed from the register is to be completed by 1st December.
- 4.3.4 The White Paper mentions that the new legislation will allow for the abolition of the annual canvass at a later date. The Council welcomes this proposal.
- 4.3.5 The Council supports the proposals within the White Paper to delay Individual Electoral Registration for special category electors (overseas electors, HM Forces Service voters, Crown servants and British Council employees etc.) until their current declaration is due for renewal. It also supports the efforts that are being made to identify whether data matching might result in an electoral registration system that better supports Service voters.

5. Background Papers

The full Individual Electoral Registration White Paper consultation document, including pages 27 - 66 (Draft Legislation, Explanatory Notes and Annex A – Summary of Impact Assessment) is available to download from the Cabinet Office website <http://www.cabinetoffice.gov.uk/resource-library/individual-electoral-registration-draft-bill>

Report Author and Title: Cassie Triggs, Democratic & CEX Services Manager

Telephone and Email: 01604 837 680, ctriggs@northampton.gov.uk