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William Wragg MP
Chair
Public Administration and Constitutional Affairs
Committee
House of Commons
London, SW1A 0AA

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By email

9 June 2020

Dear William,

I am writing to inform you that I have today laid a ministerial statement (copy attached) before the House, to update Parliament on the work we have been doing to address the risks presented by Covid-19 in relation to the next boundary review and the annual canvass.

Boundary review and electoral data

Under current legislation, the next boundary review will be based on the number of registered electors as at 1 December 2020, following the annual canvass. This is in accordance with the normal, long-established position and that, as a general rule, the revised register that is produced following the annual canvass represents the most up-to-date, robust and transparent information source on which to base a boundary review. As I set out during the Second Reading of the Parliamentary Constituencies Bill on 2 June, in light of the potential impact of Covid-19 on the operation of ongoing electoral registration activities and the annual canvass, we have already been considering carefully the options for the next boundary review to be based on an alternative set of electoral data.

I am now in a position to update Parliament on the Government's plans, following my commitment to the House to do so during the Second Reading debate.

Having engaged with representatives of the parliamentary parties and electoral stakeholders, I have decided to bring forward an amendment to the Parliamentary Constituencies Bill at Committee stage to address this issue. This Government amendment will make provision for the next boundary review to be based, on a one-off basis, on the number of registered electors at 2 March 2020. It is intended that this data will be supplied by Electoral Registration Officers (EROs) to the Office for National Statistics (in England and Wales) and National Records of

Scotland (in Scotland), and that the Chief Electoral Officer for Northern Ireland will produce the data for Northern Ireland. ONS will collate and publish the data for all four constituent nations of the United Kingdom. It represents the most up-to-date electoral registration data available from the point before the impacts of Covid-19 became widespread. It will capture the registrations that took place in the run-up to the 2019 General Election, subject to the monthly updates, as required, to the register between the election and 2 March 2020.

There is a consensus that, as a consequence of Covid-19, a different approach will be needed this year, and I hope this amendment will deliver that.

Annual canvass 2020

I also intend to shortly lay before Parliament a draft of the Representation of the People (Electoral Registers Publication Date) Regulations 2020. This is an affirmative statutory instrument and is therefore due to be debated in both Houses of Parliament in the coming weeks, though dates are yet to be confirmed. The regulations contained in the draft legislation to be laid before Parliament will change (for England, Scotland and Wales) the final publication date of the 2020 revised electoral register from 1 December 2020 to 1 February 2021 in order to provide additional flexibility to EROs during the Covid-19 pandemic.

Like many sectors, the work of Electoral Services teams have been affected by the current Covid-19 pandemic. This includes staff members having reduced access to office facilities; undertaking greater caring responsibilities whilst working from home; being shielded or self-isolating; as well as some team members pivoting toward providing essential services within their local communities. At present, however, EROs in Great Britain are legally obliged to publish the revised electoral register by 1 December 2020 or they will be liable for prosecution for failure to conduct their statutory duties under the Representation of the People Act 1983.

In light of the Covid-19 pandemic, and to provide additional flexibility to EROs in the conduct of this year's annual canvass, this legislation will delay the publication deadline for the final revised 2020 electoral register by two months from 1 December 2020 to 1 February 2021. This is in line with existing legislation which allows the final publication deadline to be delayed by the same period of time should an election be held in an ERO's area within the canvass period of 1 July and 1 December. This change in publication date will have no negative impact on the conduct of the May 2021 elections, indeed it will allow EROs the greatest possible preparation for their safe and effective conduct.

In developing our policy we have worked extensively with stakeholders, including the Electoral Commission, the Association of Electoral Administrators and the Scottish Assessors Association, who have all welcomed our proposals. We have also worked closely with the Scottish and Welsh Governments to agree a consistent policy of extending the publication deadline of revised registers across Great Britain, and they intend to bring forward separate, complementary legislation in relation to the local government registers in their respective nations.

Please do not hesitate to contact me if you would like to discuss any of this further.

Yours ever,

A handwritten signature in black ink, appearing to read 'Chloe', with a long horizontal flourish extending to the right.

Chloe Smith MP

9 June, Written Ministerial Statement made by Chloe Smith, Minister of State for the Cabinet Office (HCWS278)

Update on Annual Canvass

I wish to update the House on the work that HM Government has been doing to address the risks presented by Covid-19 in relation to the next boundary review due to start in 2021, and to the annual canvass. This follows the introduction of the Parliamentary Constituencies Bill on 19 May, and its Second Reading on 2 June.

Boundary review and electoral data

Under current legislation, the next boundary review will be based on the number of registered electors as at 1 December 2020, following the annual canvass. This is in accordance with the normal, long-established position and that, as a general rule, the revised register that is produced following the annual canvass represents the most up-to-date, robust and transparent information source on which to base a boundary review. The Government has introduced the Parliamentary Constituencies Bill, which will provide for boundary reviews based on a House of Commons with 650 seats.

As I set out during the Second Reading of the Bill on 2 June, in light of the potential impact of Covid-19 on the operation of ongoing electoral registration activities and the annual canvass, we have already been considering carefully the options for the next boundary review to be based on an alternative set of electoral data.

I am now in a position to update Parliament on the Government's plans, following my commitment to the House to do so during the Second Reading debate.

Having engaged with representatives of the parliamentary parties and electoral stakeholders, the Government has decided to bring forward an amendment to the Parliamentary Constituencies Bill at Committee stage to address this issue. This Government amendment will make provision for the next boundary review to be based, on a one-off basis, on the number of registered electors at 2 March 2020.

It is intended that this data will be supplied by Electoral Registration Officers (EROs) to the Office for National Statistics (in England and Wales) and National Records of Scotland (in Scotland), and that the Chief Electoral Officer for Northern Ireland will produce the data for Northern Ireland. ONS will collate and publish the data for all four constituent nations of the United Kingdom. This approach will provide the most up-to-date electoral registration data available from the point before the impacts of Covid-19 became widespread. It will capture the registrations that took place in the run-up to the 2019 General Election, subject to any monthly updates made to the register between the election and 2 March 2020.

We have engaged with the Parliamentary Parties Panel, other party representatives and electoral stakeholders on this issue in recent months. There is a consensus that, as a consequence of Covid-19, a different approach will be needed this year, and I hope this amendment will deliver that.

Annual canvass 2020

The Government intends shortly to lay before Parliament a draft of the Representation of the People (Electoral Registers Publication Date) Regulations 2020.

Like many sectors, the work of Electoral Services teams have been affected by the current Covid-19 pandemic. This includes staff members having reduced access to office facilities; undertaking greater caring responsibilities whilst working from home; and being shielded or self-isolating, as well as some team members pivoting toward providing essential services within their local communities. At present, however, EROs in England, Scotland and Wales are legally obliged to publish the revised electoral register by 1 December 2020 or they will be liable for prosecution for failure to conduct their statutory duties under the Representation of the People Act 1983.

In light of the Covid-19 pandemic, and to provide additional flexibility to EROs in the conduct of this year's annual canvass, this legislation will delay the publication deadline for the final revised 2020 electoral register in Great Britain by two months from 1 December 2020 to 1 February 2021. This is in line with existing legislation which allows the final publication deadline to be delayed by the same period of time should an election be held in an ERO's area within the canvass period of 1 July and 1 December. This change in publication date will have no negative impact on the conduct of the May 2021 elections, indeed it will allow EROs the greatest possible preparation for their safe and effective conduct.

This greater flexibility for the date of publication for the revised registers complements the flexibility already provided by the newly reformed annual canvass, which will allow EROs to conduct safer and more responsive canvasses than ever before. EROs now have greater flexibility to use digital contact methods in place of paper forms, thereby reducing the amount of manual handling, and are able to use telephone contacts where possible in place of door knocking. The Electoral Commission has already issued guidance to EROs on carrying out a Covid-secure canvass and Government officials are monitoring the situation in order to provide further non-legislative support as needed.

In Northern Ireland the canvass is not conducted annually but must be held at least every 10 years. The last canvass was held in Northern Ireland in 2013 and the Coronavirus Act 2020 has postponed the canvass that was due to be held this year to 2021. Under the Northern Ireland system of continuous registration, the Chief Electoral Officer publishes a revised register on 1 December every year (as well as monthly updates) regardless of whether a canvass has been conducted. As boundary reviews are required to be based on electoral data from the same date in all four nations, it is appropriate for the March 2020 data to be used for the next boundary review in Northern Ireland.

In developing our policy we have worked extensively with stakeholders, including the Electoral Commission, the Association of Electoral Administrators and the Scottish Assessors Association, who have all welcomed our proposals. We have also worked closely with the Scottish and Welsh Governments to agree a consistent policy of extending the publication deadline of revised registers across Great Britain, and they intend to bring

forward separate, complementary legislation in relation to the local government registers in their respective nations.