



Levelling Up, Housing and Communities Committee

Mr John Edwards
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

17 July 2023

Dear John,

Data protection implications of alternative forms of voter registration

In connection with our inquiry into [Electoral Registration](#), we have been examining the benefits and flaws in the current UK electoral registration system. In doing this, we are considering the potential operation of varying degrees of automated voter registration and what implications this may have on electoral staff, the state of the electoral registers, and on existing legislation.

Many witnesses have expressed desire for a more automated system; however the Scottish Assessors Association and the Association of Electoral Administrators indicated concerns to the Committee at a [session on 17 April 2023](#), that moving to a form of automated voter registration brings potential data protection implications. We understand that the [Electoral Commission carried out feasibility studies in 2019](#) on various proposals for moving to a more automated form of registration. It would be useful for us to understand the data protection implications and any concerns the ICO may have, should any form of automatic voter registration be introduced in the future.

Evidence from multiple stakeholders has suggested different proposals for better incorporating the use of data to improve the state of the electoral registers and improve efficiency in the registration process for administrators and for voters.¹ For example, this could be linking voter registration for attainers to the issue of national insurance numbers or linking public service transactions to create a 'tell us once' service (where Electoral Registration Officers are notified through sharing of data with other public services when details change, to avoid the voter having to notify multiple public services of the same information, in the same way a death is notified). Data sets that have been suggested would be beneficial for use by Electoral Registration Officers includes: the passport office, DVLA, HMRC, firearm licensing, gas and electricity authorities.

We would be grateful if you could provide an indication as to whether the below suggestions would be likely in themselves to breach existing data protection legislation, or if there would be a significant risk

¹ See, for example: Peter Stanyon, Chief Executive, Association of Electoral Administrators, [Oral Evidence to the Electoral Registration Inquiry](#), 17 April 2023; Pete Wildman, Vice President, Scottish Assessors Association, [Oral Evidence to the Electoral Registration Inquiry](#), 17 April 2023; Electoral Reform Society, [Written Evidence to the Electoral Registration Inquiry](#), February 2023; SOLACE, [Written Evidence to the Electoral Registration Inquiry](#), February 2023; Professor Toby James and Dr Holly Garnett, [Written Evidence to the Electoral Registration Inquiry](#), February 2023; and Electoral Commission, [Written Evidence to the Electoral Registration Inquiry](#), February 2023.



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in practice of such breaches occurring in the operation of the proposals. If so, please could you let us know which of measures you feel will need to be put in place to ensure compliance if each of these potential changes were made to the electors' role in registration:

1. Full automatic voter registration

The individual would no longer be required to update their details themselves. Through data sharing across public services, electoral registration officers could update the electoral registers directly. If not for all electors, it has also been suggested this could just be done at a specific time of life, such as attainments when they receive their national insurance number, in an attempt to improve completeness of electoral registers.

What are the likely legislative changes required, and what other data protection considerations might there be?

What considerations should determine whether, and how, the elector's consent would be required to have their data automatically added to the register in this way? If consent was required, would this have to be in the form of expressly giving consent, or could it be based on objection/an opt out mechanism?

2. Greater data access for electoral registration officers

The application-based system would continue and electors would still be required to inform registration officers if they move address or change their details. Electoral registration officers could have access to national data sets, which, for example, would inform them of when someone has moved, and then they would contact the elector and invite them to register. The individual would still have to confirm the details in order for the electoral register to be updated. This would increase the role of data in prompting registration. Integrating electoral registration into other public service transactions has also been suggested to the Committee, where public services notify each other when details change to avoid the individual having to inform multiple public services of their change in address/details.

What are the data protection considerations if such changes were made? What are the likely legislative changes required?

We are not yet at the stage where we can make recommendations or suggest specific reforms but, as a committee, we will keep this under consideration as our inquiry progresses. We understand that without specific proposals it may be difficult for the ICO to provide detailed analysis about what data issues may arise. Nevertheless, we would welcome any information on the data protection or privacy implications you are able to provide on the above models, by Thursday 31 August 2023.

Best wishes,

Clive Betts MP
Chair, Levelling Up, Housing and Communities Committee