

Written evidence submitted by the Department for Levelling Up, Housing and Communities [ELR 005]

Introduction

The Government welcomes the opportunity to contribute evidence to the LUHC Committee's inquiry into electoral registration.

We have implemented a number of reforms to electoral registration in recent years, including the introduction of Individual Electoral Registration (IER) supported by the Individual Electoral Registration Digital Service (IERDS) and canvass reform. We are also delivering the Electoral Integrity Programme (EIP). The EIP implements the Elections Act 2022, which introduced provisions on the administration and conduct of elections designed to strengthen the integrity of our electoral system and ensure that our elections remain secure, fair, modern, and transparent. These include a number of provisions directly related to electoral registration.

What are the advantages and disadvantages of the existing system of electoral registration?

Advantages

With the advent of online registration, registration is now an activity which takes place 24 hours a day, 365 days of the year. This means that voters can choose to register at any time, from anywhere with an internet connection: there were, for example, 2,313 registration applications made online on Christmas Day 2022.

This also means that the opportunity is open to anyone eligible to register as soon as (for example): they are old enough, become a British citizen, move address, etc. EROs update the register throughout the year based on information from council tax, education and other records including marriage and death registers. This is reinforced by the annual canvass activity when EROs contact every household. The average online application to register to vote takes less than 5 minutes and can be completed on any device. The Electoral Commission report on the 2019 General Election found that "there were high levels of satisfaction with the processes of registering to vote and voting", which the report notes were similar to those reported after other recent elections in the UK.

Behind this front end of online registration, the system remains devolved to local authority level, with all the advantages of that. The local knowledge of expert Electoral Registration Officers (EROs) is valued, and they are given the freedom to do what they believe will work best for the people registering in their area.

Disadvantages and their mitigations

The devolution of responsibility for electoral registration policy and legislation for local government elections in Scotland and Wales and elections to the Scottish Parliament and Senedd Cymru, combined with the different political imperatives of the three governments, results in divergence in practice which adds complexity to

electoral registration in Scotland and Wales. This complexity particularly affects voters and applicants who have differing eligibility to participate depending on what type of election is taking place.

The volume of applications that EROs need to process is not evenly spread, EROs receive higher volumes of applications to register close to an election. 3.85 million applications were made ahead of the UK Parliamentary General Election in 2019. Currently, electors are unable to check online whether they are already correctly registered. To check their registration status, each person who is unsure must contact their ERO which means that those in doubt often submit an unnecessary duplicate application.

The Government has taken steps to reduce the numbers of duplicate applications. This has included changing the messaging on the Register to Vote website to highlight that an application only needs to be submitted if a person's circumstances (name, address or nationality) have changed – you don't need to apply for each election or apply each year. To discourage multiple repeat applications, an application which is identical to another made online in the preceding 14 days prompts a pop-up page asking if the individual wishes to proceed even though it is unnecessary. This interstitial 'deterrence' page has had a measured impact of reducing the number of electors submitting unnecessary repeat applications by 80%.

How does the system of Individual Electoral Registration compare to an automatic or assisted system of voter registration?

It is the government's view that the current system of individual electoral registration, which is embedded and well-understood, strikes the right balance of accessibility, accuracy and individual freedom of choice.

The current system of electoral registration has two elements: elector-driven and ERO-driven. Electors can register themselves at any point if/when their circumstances change, using paper-based or online processes depending on what is most suitable for their circumstances. EROs have a legal duty to conduct an annual canvass of individuals in every household and a requirement to issue an Invitation to Register to any elector they believe may be eligible to register but is not currently registered.

The practical reality of automatic registration always remains that you will be adding people to the register without their knowledge. This is something that the UK has moved away from since 2014 when IER was introduced. There are no plans to return to such a position.

In addition, assisted registration would reintroduce or make more visible, a set of challenges for the register; a greater propensity for inaccuracies such as more out of date information, or information being held against the wrong address. People who are ineligible, for example certain second home owners or Commonwealth citizens who do not have the correct immigration status could also be added. In addition, there may be handling difficulties with people who would otherwise register anonymously. Whilst none of these issues are insurmountable, on balance we don't

believe that a move to this approach would have a clear benefit when considered alongside the challenges it would bring.

Furthermore, there is currently no public service which, as part of its application procedures, captures all the data which is required to determine eligibility to vote (name, address, age, nationality and immigration status). Thus, we would be unable to easily implement a system of fully automatic registration.

Which countries have high levels of electoral registration, and what lessons can the UK learn from these electoral registration systems?

There is no consistent set of global data on electoral registration, making it difficult to reliably compare electoral registration rates internationally. Different countries have different legal frameworks, political contexts and population characteristics.

Countries where voting is compulsory, such as Australia, understandably have high levels of electoral registration. Voting is voluntary in the UK.

Elsewhere, such as in Japan and many European countries, the electoral roll is derived from wider population registers.

Many common suggestions regarding innovation in administrative process would require a centralised electoral register. We do not have such a system in Great Britain, though a version is in use in Northern Ireland. Whilst we are happy with and take note of the successful implementation of such a system in Northern Ireland, a centralised registration system, including software and administration, is likely to be difficult and costly to develop on a larger scale. Such a significant change would require a programme of work and a piloted approach to testing it before being implemented. At this time the Government has no plans to implement a centralised register in any other parts of the UK.

Canada, which conducts federal elections and referendums, has adopted a system with some automation and reports high registration levels.

The Government understands the importance of maintaining an awareness of good practice in electoral registration internationally. UK government officials monitor relevant developments in countries across the world and share learning with counterparts in other countries with innovative approaches to electoral registration systems that may be of interest in the UK context. The Government takes this international awareness into consideration when making decisions about elections processes.

Data Issues

How can existing public data and digital methods be better utilised to create a more joined up electoral registration system?

The existing electoral registration system has several features which use a range of public data and digital methods to enhance the functioning of the electoral registration system in practice. Additionally, legislation and Electoral Commission

guidance ensures a consistent approach across different areas. Registration is done at the local authority level. Local EROs know their local populations best and are experts in electoral registration processes.

There are two particular ways in which digital systems and better use of data have supported EROs by creating a more joined up electoral registration system. Firstly, the Individual Electoral Registration Digital Service (IERDS) has created the opportunity to gather and use more electoral registration data than ever before. Although administrators use different Electoral Management Software (EMS) systems to process applications, applications are automatically and consistently sent to the correct ERO for efficient download, with many steps such as identifying the correct local authority (LA) being automated, thereby reducing the opportunity for applicant error and improving the speed and accuracy of data transfer.

As well as automating initial registration, EROs now have the opportunity to make data-driven decisions about the allocation of resources during their annual canvass as a result of the introduction of the Canvass Data Match (CDM) service in 2021 as part of the wider reforms to the annual canvass. CDM is a national data matching exercise with the DWP that is carried out centrally by the IERDS. EROs upload their entire electoral register to the CDM service: a total of over 46 million records over a 12-week period. These files are then securely sent to the DWP and matched against numerous data points to provide a range of specific outcome scores confirming whether a household's registered elector occupants are accurate and up to date. This enables EROs to have a high degree of confidence in the makeup of over 80% of properties, and therefore aids them in allocating their resources to the remaining properties more efficiently.

What issues exist regarding cyber security, data and privacy, and how can these concerns be addressed?

The Government always seeks to ensure the security measures for IERDS are in line with cyber security best practice. There have been several changes in recent years.

In 2020, the IERDS moved to a cloud hosted environment, adding substantial robustness and security to the service, in keeping with Government Digital Service (GDS) Cyber Security Cloud Principles.

In 2021/22, the IERDS also moved to a more secure and modernised internet-based service, which meant moving it away from the legacy government infrastructure (Public Services Network) which was being used prior to this. The migration of all 346 local election teams was completed by March 2022, which allowed us to make and pass on substantial savings, whilst also putting the service on a more secure and stable footing.

The service undergoes regular IT Health Checks and penetration tests as part of its annual preparations for elections held on the first Thursday of May, in addition to well-architected reviews and cyber monitoring.

While the Public Services Network (PSN) Code of Connection has been replaced with rigorous cyber assurance processes and a significantly improved security posture from a technical perspective, the Local Government Cyber Assessment Framework being developed by the Local Digital team in DLUHC would still be a very welcome as a further improvement to this. This will provide a common framework for cyber risk management across Local Government in England and set a clear standard for councils to work towards.

One of the key potential problems with the current processes used with electoral systems concerns cyber incident reporting: all parties would benefit from rapid cyber incident reporting, and there remains substantial room for improvement on this in the Local Government sector.

What issues do Electoral Registration Officers face in relation to electoral data, including access to and sharing of data?

As described in the first question relating to data issues, the UK Government has actively encouraged better use of data in registration through the CDM process in the reformed annual canvass. National data is also used to help confirm applicants are who they say they are at the point which they apply.

Existing electoral law gives administrators and EROs the appropriate powers to obtain, record and use data relevant to electoral registration and maintaining registers. That said, there are known issues with access to and sharing of data between local authorities. We also know that the information that is available to be shared across departments within a single local authority such as Council Tax or education records varies due to differences in data-gathering and retention policies. Local authorities' data policies and practices are rightly a matter for them.

Impact on Local Authorities

What are the challenges presented by event-led registration, and what additional burdens does this place on local authorities?

Reliable data on the number of both online and paper applications has been available since 2015, because they are processed through the Government's IER Digital Service. The registers used for elections are now probably more complete than ever before, which is to be welcomed, although this undoubtedly places additional burdens on electoral administrators at what is already a very busy time for them.

To support EROs and their authorities in adjusting to this position, digital experts designed and implemented improvements including to the ease and accuracy with which contact details of applicants are collected as well various deterrence mechanisms described elsewhere in this evidence designed to reduce unnecessary applications, such as when someone has already submitted an identical registration application in the last 14 days.

This event-led surge in applications is now established behaviour. Ultimately, EROs, and the local authorities which fund them, arrange sufficient resources to meet the demand. Most elections are scheduled by law, with ample time for EROs to plan accordingly.

How have the changes introduced by the Elections Act 2022 impacted on Electoral Registration Officers? For example, has this introduced additional administrative burdens on EROs specifically, or local authorities more generally?

We expect that the following changes introduced by the Elections Act 2022 will have, or are already having an impact on EROs and administrators:

- Changes to the franchise concerning overseas electors
- Updating registers to reflect the changed eligibility criteria for EU citizens
- The introduction of the requirement for voter identification, particularly the production of Voter Authority Certificates.

The UK Government is committed to funding the additional costs to local authorities of implementing the changes introduced by the Elections Act 2022 and related statutory instruments under the New Burdens Doctrine. Furthermore, the ongoing development of policy and implementation related to the Elections Act 2022 actively seeks to minimise the impact on administrators.

As part of the wider policy on voter identification, EROs are now responsible for issuing free Voter Authority Certificates to electors, including those who do not have one of the accepted forms of photographic identification. The burdens of this new requirement have been significantly mitigated by a centrally developed and run digital application Service which went live on 16 January, and by Certificates being generated, printed and delivered to electors through a centralised print contract, thereby minimising the burden on elections teams. Further improvements are planned to the digital service used by electoral administrators to augment efficiency.

There are other areas where the UK Government has sought to modernise the electoral processes and reduce administrative burdens. Currently applications for a postal vote or proxy vote can only be completed through a paper application. This can be a cumbersome process to administer particularly within the pre-election period. The Government is developing a single digital service which electors can submit applications in parallel with their registration application, Mandatory fields, built-in signposting and digital-upload options for signatures and documentary evidence, are expected to minimise journey errors and a need for back-and-forth between electors and administrators. Complementary changes to the renewal cycles for overseas electors' registration declarations will also align with the absent vote renewal cycle, streamlining the process for both administrators and electors.

The policies introduced by the Act are still coming into force and impacts will be evaluated after the policies have come into force. However, detailed estimated administrative impacts on local authorities of the policies introduced by the Elections Act 2022 were set out in the published impact assessment for the Elections Bill, and

the impact assessment for the Voter Identification Regulations

2022 <https://bills.parliament.uk/publications/44886/documents/1304> https://www.legislation.gov.uk/ukia/2022/88/pdfs/ukia_20220088_en.pdf.

How best can Government support local authorities to alleviate additional burdens and improve accuracy and completeness of their registers?

Canvass reform, legislated for by the UK, Scottish and Welsh Governments in 2019, reduced the administrative burden of conducting the annual canvass on an ongoing basis.

EROs have a unique understanding of their local area and issues that most affect the accuracy and completeness of the register and can develop innovative approaches to drive registration within their authorities. The UK Government has sought to support them in decision-making and planning their approach to addressing registration issues. Any new policies are always designed with a view to minimising the administrative impact and we work closely with the sector in the implementation planning. Impact assessments are carried out and published. As with other areas of change, the UK Government is committed to funding the additional costs to local authorities under the New Burdens Doctrine.

Annual Canvass

Have the Government's recent reforms done enough to improve the annual canvass process, or are further changes required?

The Government is conducting an evaluation of the effectiveness of the work to reform the canvass. The first year of evaluation published in 2021¹ noted that electoral administrators were positive that canvass reform gave them more options for flexibility in how they conducted the canvass. The new permitted methods of communication also resulted in efficiencies and administrators reported a positive impact on their workload. While participants did report concerns or problems, such as issues with new EMS functions, some mentioned that substantial issues with the reports they were able to extract from the EMS systems, such as variations in statistics and lacking data at a deeper level had improved over time. We also expect that other issues will have improved over time as staff and the public become more familiar with the new processes.

These findings on improvements are similar to the findings of the canvass pilot evaluation published in 2018: the four models evaluated all produced efficiencies, with two models showing these efficiencies being as effective as the legislated canvass. There is also some evidence of potential positive effects in addition to those that were originally intended, such as increased engagement with some under-registered groups.

¹ Constitution Group Analysis (2021) Evaluation of the Modern Electoral Registration Programme, 2021 Report, Cabinet Office, pp.1-47.

The Government will publish further research reports on the reformed canvass evaluation in the future.

Engagement and accessibility issues

What are the barriers to eligible electors registering to vote?

Online registration has made the process of registering to vote more accessible than ever.

The Government believes that everyone who is eligible to apply to register has the right to be able to do so. Whilst we wish it wasn't the case, the reality is that some people won't register because they don't intend to vote.

We always seek to review potential barriers, and to encourage registration and voting, across all parts of the community.

Why are there so many inaccurate entries and duplications on the register? How can they be rectified in a cost-effective manner?

Duplicate applications to register are identified and dealt with accordingly by EROs to avoid them being added to the register. The IER register is more accurate than the Household register it replaced. The Electoral Commission provides an estimated range of 8.3-9.4 million people not correctly registered. As the Commission itself describes, 'not correctly registered' includes both people who are not registered at all, as well as those who are registered to vote but have not yet updated their registration details having moved to a new address. The latter is quite common and reflects the fact that the completeness and accuracy reports are necessarily a snapshot, being based on the register published on 1 December.

Electoral Commission research shows that the proportion of eligible electors correctly registered at their current address has remained stable - at around 85% - over the last decade.

Individual Electoral Registration (IER) was introduced in 2014 and has been a success, with the 2019 UK Parliamentary General Election contested on the largest ever electoral register. We are committed to the continuous improvement of IER to ensure the system functions effectively for both administrators and citizens. This includes monitoring the effectiveness and accuracy of the system, seeking feedback from administrators and keeping abreast of developments in other countries.

We will continue to review opportunities to improve the accuracy of the register.

How can resources be better targeted to ensure better engagement and accessibility for certain demographics?

Given the relative speed of applying to register, We do not believe there are material barriers for potential voters to register. Engagement with specific demographic groups is a matter for EROs and the local authorities which fund them. EROs have the most knowledge of their respective areas and are best placed to make decisions about what groups to target and how, based on the makeup of the local population.

As the reformed annual canvass is more efficient, this allows EROs to better focus resources on under-registered groups and areas.

February 2023