

**ELECTIONS COMMITTEE /  
ELECTORAL REGISTRATION WORKING PARTY**

<b>Report Title</b>	Update on IER		
<b>Key Decision</b>	n/a		Item No.
<b>Ward</b>	n/a		
<b>Contributors</b>	Malcolm Constable, Electoral Services Manager		
<b>Class</b>	Part 1	Date: 23 June 2015	

**1. Purpose**

The purpose of this report is to provide a further update on Individual Electoral Registration (IER) .

**2. Recommendation**

That members note and make any comments they may have on the report.

**3. Background**

3.1 At the last meeting of the Electoral Registration Working Party on 19<sup>TH</sup> March 2015, an update report was presented. A copy now appears at Appendix 1. In it, members' attention was drawn to the Electoral Commission report entitled :-

“Analysis of the December 2014 electoral registers in England and Wales - The implementation of Individual Electoral Registration: progress report”

The full report can be found at

<http://www.electoralcommission.org.uk/find-information-by-subject/electoral-registration/monitoring-the-change-to-individual-electoral-registration>

3.2 The report highlighted that nationally there were 920,000 fewer entries on the register as at 1 December 2014 compared to the register following the publication at the close of the February 2014 late canvass. The variation at national level ranged from - 12% to +7%.

3.3 Over that period, Lewisham's register declined by 3.4% whilst figures collected by London authorities showed a fall of just over 150,000 in London's register from approximately 5,889,000 to approximately 5,740,000 a fall of 2.5%. The range across London was between +1.86% to -8.39%.

- 3.4 Many, including the Electoral Commission, attributed the drop in numbers at that point, on the lack of a comprehensive canvass in the autumn of 2014 which meant that home movers had not been captured as effectively as in the past. The Commission hoped that this would be remedied to some extent by electoral registration officers sending Household Notification Letters (HNL - see below) to all households showing who is registered to vote at a particular address and hopefully prompting anyone not registered to do so.
- 3.5 The figures in the report were heavily caveated by the Electoral Commission, who were critical of electoral management software providers for failure to ensure that local authorities were able to provide accurate data. The Commission said this had “a significant impact on our ability to report on progress with implementing the transition to date”. They were also very concerned that they would not have sufficient information to be able to “make a robust, evidence - based assessment and recommendation in June 2015 to inform the UK Government’s decision on whether to make an Order that the end of the transition to IER should be brought forward to December 2015”.
- 3.6 There is however no new comparative data available on IER available yet. The Commission had indicated that they would be producing a further report in June on the state of the transition to IER after the UKPGE but enquiries of the Commission confirm that it is not available yet, though it is anticipated very shortly. If it is to hand before the Working Party meeting, a briefing on its contents will be available for members.

#### **4 Local Progress since March 2015**

- 4.1 The table appearing at Appendix 2 shows that by 1 May 2015, the total electorate in Lewisham had increased from approximately 189,000 in December 2014 to about 198,760, an increase of approximately 5.2%. The total electorate had at 1<sup>st</sup> May recovered to and exceeded that in February 2014 by over 2300.
- 4.2 As at 1 May 2015, the total number of electors on the electoral register who remained unconfirmed under IER was approximately 16,280, representing approximately 8.2% of the total electorate. The picture both across the constituencies and on a ward basis appears in Appendix 2, which shows continued reductions in the unconfirmed electorate, both before and since February 2015, across the whole borough. Since February 2015, though the total electorate has increased by over 7,600, the number of unconfirmed electors has reduced by approximately 3300.
- 4.2 As reported previously to the Working Party, on the 23 February 2005 we sent a household notification letter (HNL) to all 122,000 properties on the registration database. The HNL confirmed the entries on the electoral register which we had for the particular property. This is not a statutory process, so there is no requirement for electors to respond. In fact, if the information in the HNL was correct, we told people there was no need to respond. However, if the information we hold was wrong, we gave electors the opportunity to
- Go on line to register at the Governments website – [www.gov.uk/register-to-vote](http://www.gov.uk/register-to-vote)

- Make additional changes to their details such as request postal votes by going to an Electoral Reform services secure website at [www.registerbyinternet.co.uk/lewisham](http://www.registerbyinternet.co.uk/lewisham)
- Return an amended form in the envelope provided or return it by e-mail to Electoral services

4.3 The increase in IER registration achieved since February is no doubt in some part due to the response to this letter, national campaigns and strenuous efforts by the political parties to encourage registration in the run up to the UKPGE. However, though the HNL pointed out that if the details in it were correct, voters need take no further action, many who were already IER registered still went on to the Government website to register, with the result that of 800 -900 downloads received per day, approximately 250 were duplicates.

4.3 Between 11<sup>th</sup> March (the last day to apply to be included in the electoral register published on 1<sup>st</sup> April) and the 20<sup>th</sup> April, (the last day to apply to be registered to vote in the UKPGE), a little over 22,500 applications to register were received, approximately 35%, about 7900, of which were duplications. Of these approximately 13,400 were successfully registered in that period. An additional 4,450 new applications for postal votes and over 600 new proxy applications were processed. However, approximately 1500 new applications for registration were received after the deadline of 20<sup>th</sup> April and so could not by law be effective for the UKPGE. They have however been processed appropriately since then.

## **5 Actions to maximise registration to date**

5.1 Members' attention was drawn in the March 2015 report to the promotional activities taken to that point. Attention was also drawn to the Outreach and Communications Plans for the future with particular emphasis on efforts to enhance registration in advance of the UKPGE. Many of those activities continue and others have now been updated and progress against them appears at Appendix 3. Examples of promotional material are also now attached at Appendix 4. We are conscious that there is no room for complacency and that we need not to lose the momentum for registration which was engendered by the UKPGE.

5.2 Many activities were timed to coincide with National Registration Day and the distribution of our HNL to maximise their impact. We have conducted general promotional activity to encourage everyone to ensure they are registered but have also targeted our campaigning at those groups where our research has shown there is typically under representation, namely those in social housing, young people and black and ethnic minority groups. A short summary of the type of activity we have undertaken follows, though this is not an exhaustive list.

### General

Examples include:-

- Promotional material circulated to many partner organisations throughout the borough, who have agreed to display and distribute them. (e.g. Police, churches and food banks.)
- Automated message on all incoming calls to the Council in the run up to the election urging people to register by the cut off date.
- Strap line on all outgoing Council email urging registration in time for the election
- Local assembly news item prepared for and item placed on all agendas re registration and the election in run up to election – Attendance at local assemblies with tablet to facilitate registration
- Lewisham Life – half page article on registration and the election “Have Your Say this May”
- Adverts on the backs of receipts promoting registration for the UKPGE until late April in e.g Argos, Homebase, 99p stores
- Register to vote video sent to GP surgeries and used on screens in waiting rooms
- Signs on electronic notice boards at Town Hall and Civic Suite
- Promotional material in school bag of all primary school children aimed at parents

### Social housing

Examples include:-

Providing leaflets and flyers to housing associations – e.g. New World, Phoenix

- Posters displayed at Phoenix HA on electronic notice boards
- ALMO – key rings, promotional material given out on tenancy sign up

### Churches

Examples include:-

- Correspondence from the Mayor to the Borough Deans urging them to promote registration with their congregations, providing material to do so, and item on agenda at mayoral meeting with borough deans.

### Ethnic minorities

Examples include:-

- Operation Black Vote Bus came to Lewisham High Street in March 2015. The Bus provided online facilities to register there and then and information leaflets
- Citizenship Ceremonies – Registrars staff have on line facilities at the ceremonies to register there and then, with additional promotional material from Electoral Services. Reminders sent out in advance to bring National Insurance numbers to facilitate immediate registration.
- Church and school initiative also focused on BME communities.

#### Disability

- Attendance by Electoral Services at the Lewisham Speaking Up event to encourage people with a disability to register to vote. Partnership approach with Mencap
- Hospital – advertising in magazine and electronic boards.

#### Older people

- Attended Pensioners Forum and Positive Ageing Council to explain the new IER regime, give out promotional materials and encourage registration. Item in their newsletter

#### Young people

- Detailed programme of engagement with involvement of Young Mayor team – see attached Appendix 5
- Following detailed work with college and Goldsmiths in September and October last year, the Students Union at Goldsmiths co-operated with Electoral Services by reminding all students by text to register to vote and giving Government website details
- The Chief Executive addressed Schools Council about the importance of registration
- NEETs – text message sent to all NEETs reminding them to register and Electoral Services provided an information leaflet for the NEET team to use at an event.
- Co-operated with Shelter about information which they put on their website about registration and voting. Gave advice about homeless registration
- Work with 999 club to ensure homeless people registered
- Internal advertising to promote registration in CYP Directorate

## **6 Future actions to maximise registration – HEF canvass**

- 6.1 Over the coming months, our main effort to enhance registration will be via intensive canvassing. This year by law, we must conduct a full Household Enquiry Form (HEF) canvass. To do this we will send out to all households in the borough a form which sets out the details we have for those registered at each property. We are aiming to send out the HEF canvass by post on 14<sup>th</sup> August 2015. As the completed HEFs are sent back by post we will immediately begin processing them. Where there are changes indicated on the HEF or where they are returned showing people who are on the register but are as yet unconfirmed under IER, we will send out Invitations to Register to the individuals concerned.
- 6.2 Where the HEF form is not returned by 4<sup>th</sup> September we will then send out a reminder by post to do so. Between that date and 19<sup>th</sup> October we will be using teams of canvassers, one for each polling district initially, to knock on the doors of non-responders. Canvassers will knock on at least two separate occasions if there is no response. On the second occasion, they will post another HEF through the letterbox with a prepaid return envelope and leaflet explaining the HEF process.
- 6.3 If there is a response when the canvasser knocks at the door, the canvasser will collect any completed HEF and look at it to see if there are any changes made to the preprinted form. If anyone has been added, the elector will be given a letter which will say "You are nearly there - now register on line" and giving details of the Government's online site for registration. This is a quicker way of starting the registration process than completing an application manually and so we are trying to encourage people to use this facility. However, the elector will still be given the choice of completing a hard copy of the form should they wish to do so.
- 6.4 We are underlining the need to complete the registration process in a bid to avoid the confusion which many people experience in completing the HEF by thinking that its completion means that they are registered. They are not. Unlike in the pre – IER days, the information supplied on a household basis simply enables the process of individual registration to be begun.
- 6.5 After 19 October, as canvassers are knocking on doors, where they obtain a response they will deliver ITRs, and collect any that are handed to them. As they contain sensitive personal information, the elector will be invited to place any completed forms in an envelope which is sealed in their presence. The elector will be given the opportunity to sign across the seal for security purposes. Between 19 October and 16<sup>th</sup> November we will canvass intensely, monitoring return rates across the polling districts and intensifying the resources deployed in any instances where performance looks particularly poor.
- 6.6 The new register will be published on 1<sup>st</sup> December 2015.

## **7 Future initiatives to maximise registration**

These include:-

- A stall at Lewisham People's Day on 11th July with online access to register there and then.

- Collaboration with the Young Mayor's Team at People's Day so that their stall will also allow registration
- Promotion of registration in the Young Mayor process in September and October 2015
- A new programme of engagement with the Young Mayor's Team after the election in October to promote registration in schools and colleges with particular emphasis on the GLA election
- Freshers initiatives at Goldsmiths and Lesoco for new intake in the Autumn
- Repeat and refresh of activities run to date
- Co-operation and participation in London wide initiatives for registration prior to the GLA election.
- Exploration of electronic matching of Council Tax and electoral registration data. Currently this exercise has to be done manually in the absence of this facility. It is possible to use Council Tax data to support a determination to include people on the register where there is not a perfect DWP match.
- The continuation of an officer working group to promote IER, chaired by the Head of Law consisting of representatives from all Council departments and many partner organisations to update our work programme and oversee its implementation at officer level. Next meeting July 2015.

## **8 Some issues**

The transitional phase of IER, particularly in the period of increased activity immediately prior to the UK Parliamentary General Election has created some confusion for electors, despite the best efforts of the Elections Team to dispel any misunderstandings through our documentation and promotional material. A summary appears below:-

- Though the last date for application to register was 20<sup>th</sup> April, many electors did not appreciate that their application did not mean that they had been put on the electoral register at the point they made the application. The application still had to go through the matching process by the Department of Work and Pensions (DWP). Only once this had been completed could the ERO make a determination about the application.
- For electors on our electoral register who were as yet unconfirmed under the IER regime, most were unaffected for this election as the date upon which they will be removed from the register is December 2016. However, those who were unconfirmed under IER on 1<sup>st</sup> December 2014, and who have postal or proxy votes, lost the right to vote by post or proxy unless they registered under IER. We wrote to all of those affected to inform them of this fact, urging them to register, but still there was confusion and a few

complaints from people who could not understand why they no longer had a postal or proxy vote.

- Many did not understand that a response to a household enquiry form (HEF) did not mean automatic registration.
- There was a high number of applications from overseas electors. The Government website does not make it clear that an application via that website is only an application and does not mean registration. The ERO then has to check whether the applicant has been on the electoral register within the last 15 years and then make a determination. In some cases the applications were received at a very late stage, often with a request for a proxy or postal vote, with very little time for processing.
- The requirement that a proxy must be IER registered often meant that we were reliant on other EROs to check in different areas before the application could be processed here

## **9 Financial implications**

- 9.1 The Government have confirmed the funding arrangements for the financial year April 2015 to March 2016 of £116,942. This compares to the initial transition funding for 2014/2015 of £187,368. We have also received a further Maximising Registration Grant of £48,000 in respect of the HNL which just about covered the costs.

The 2015/2016 grant does not factor in the multiplier effect on registration of the UKPGE. Incremental registration activity and resourcing for the election specific call centre is not refundable under the Parliamentary Election Charges Order as these costs are deemed to be those of the Electoral Registration Officer. We estimate the additional costs of these activities to be £75,000 approximately £20,000 of which was relating to setting up the ICT for the call centre. We had four temporary employees manning the call centre from the beginning of March through to the week after the election together with two agency temps to handle incremental incoming and outgoing post..

There are concerns about the continuing funding arrangements for IER beyond 2016. We are still in a transition phase and it is difficult to envisage what an IER steady state process looks like in terms of volume and resources, only to say that there will obviously a continuing incremental burden on Local Authorities over and above what was required for the old household registration process.

## **10 Legal implications**

- 10.1 The contents of this report reflect current legislation relating to electoral registration.
- 10.2 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability,

gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

- 10.3 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
  - advance equality of opportunity between people who share a protected characteristic and those who do not.
  - foster good relations between people who share a protected characteristic and those who do not.
- 10.4 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 10.5 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>
- 10.6 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
1. The essential guide to the public sector equality duty
  2. Meeting the equality duty in policy and decision-making
  3. Engagement and the equality duty
  4. Equality objectives and the equality duty
  5. Equality information and the equality duty
- 10.7 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

## **11 Crime and disorder implications**

The Government introduced IER with the expressed intention of combating electoral registration fraud.

## **12 Equalities implications**

To fulfil its duty under the Equality Act 2010, the Council's engagement strategy is designed to encourage registration by those with protected characteristics and hard to reach groups.

## **13 Environmental implications**

There are no environmental implications arising.

### **Background documents**

#### ***Report to Elections Committee 19 March 2015***

If you have any queries about this report please contact Kath Nicholson, Head of Law at Laurence House, SE6 4RU on 0208 314 7648 or Malcolm Constable, Electoral Services Manager on 0208 314 6907