

ELECTIONS COMMITTEE		
<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; Kath Nicholson, Head of Law	
<b>Class</b>	Part 1	Date: 22 January 2015

### 1. Purpose

The purpose of this report is to update members on the implementation of individual electoral registration (IER) and the Council wide initiatives undertaken to date and planned for the future to maximise registration in Lewisham.

### 2. Recommendation

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

### 3. Background

3.1 Electoral registration is changing significantly. In the past, one member of each household completed the registration form on behalf of everyone living at the property. Now electors may only register to vote on an individual basis and must provide personal identifiers to do so. This is usually date of birth and national insurance number.

3.2 The Committee received a report in October 2014 setting out the implications of the new system of registration. It was noted in particular that on 1 December 2016, electors will be deleted from the electoral register if:-

- they have not been automatically transferred under transitional arrangements involving matching our electoral roll with DWP data; or
- they did not respond to the 2013/4 canvass; or
- they subsequently do not respond to requests to register under the new IER system

3.3 Though the legislation provides that this will not happen prior to 1 December 2016, there is some concern that it could be brought forward to 1 December

2015. However people will not be removed from the electoral roll before the UK General Election in May 2015.

#### **4 The transition to IER so far**

- 4.1 Following the DWP and local data matching exercise in June 2014 we wrote to 156,000 electors already on Lewisham's electoral roll whose details perfectly matched the DWP database to confirm that they had been automatically transferred to the new electoral roll.
- 4.2 Where the details on our electoral roll and the data held on the DWP database did not match, we had to send individual invitations to register. There were about 46,000 people in this category. They needed to complete the application form and send us personal identifiers, ideally date of birth and National Insurance number, to be registered.
- 4.3 Where we had insufficient detail to enable us to send an individual invitation to register, the ERO was required to send a Household Enquiry Form (HEF) to try to obtain those details. We sent HEFs to approximately 20,300 households. By law these were to be sent to households which were empty or where there had been no response to the 2013/4 canvass. They are also sent to households where there appeared from our electoral register to be no-one eligible to vote. By definition these households are hard to reach, as the forms are only sent to non-responders and addresses thought to be empty. If there is no response, reminders are sent and then if no response is received, there is a visit to the property.

#### **5 Canvass – Autumn 2014**

- 5.1 64 canvassers were recruited and trained to cover our canvass areas. They are aligned to the polling districts.

##### *Household Enquiry Form (HEF) Canvass*

- 5.2 Canvassers were required to visit approximately 17,900 properties where there had been no response to the initial HEF write out or reminders. This was because, as might be expected, the response rate prior to canvass was very low at 13.7%. When the HEF canvass was conducted in October 2014 our canvassers achieved an additional 25% response which resulted in a 35% return overall.
- 5.3 In future a full HEF canvass, covering all properties in the borough (approximately 123,000) will take place each year, and the first of these will take place in Autumn 2015.

##### *Invitation to Register (ITR) Canvass*

- 5.4 The ITR canvass began on 27 October and ran until publication of the new revised register on 1<sup>st</sup> December 2014. We canvassed over 23,000 individual

electors who had not responded to the initial ITR write out and subsequent reminders.

## 6 Canvass results as at 1 December 2014

- 6.1 Following the DWP data matching exercise in June 2014, 68% of the electors on the Lewisham electoral register were a perfect match with the DWP database. Local data matching increased this to 76%. The HEF and ITR canvass increased the match rate to 87% as at 1<sup>st</sup> December 2014.
- 6.2 As Table 1 below indicates, this means that there are approximately 24,500 unconfirmed local government electors on our register, who, if they remain unconfirmed, will eventually be removed from the register on 1 December 2016.

Table 1: Local Government Electors

		Feb-14	Dec-14	Dec-14	Dec-14
Constituency	Ward	Electorate	Electorate	Unconfirmed	
Deptford	Brockley	12489	11895	2123	17.85%
	Crofton Park	10767	10377	1192	11.49%
	Evelyn	11378	10849	1833	16.90%
	Ladywell	9901	9634	1183	12.28%
	Lewisham Central	13099	12629	1965	15.56%
	New Cross	11339	10843	2033	18.75%
	Telegraph Hill	10905	10905	1652	15.15%
East	Blackheath	10330	9902	1140	11.51%
	Catford South	10950	10513	1223	11.63%
	Downham	10296	10153	945	9.31%
	Grove Park	10728	10334	1033	10.00%
	Lee Green	10513	10194	945	9.27%
	Rushey Green	9785	9398	1423	15.14%
	Whitefoot	9983	9720	1073	11.04%
West & Penge	Bellingham	10287	10040	1056	10.52%
	Forest Hill	10714	10388	1277	12.29%
	Perry Vale	11172	10920	1232	11.28%
	Sydenham	11365	10897	1205	11.06%
	Totals	196001	189591	24533	12.94%
	Deptford	79878	77132	11981	15.53%
	East	72585	70214	7782	11.08%
	West & Penge	43538	42245	4770	11.29%
	Totals	196001	189591	24533	12.94%

- 6.3 The table above shows that Lewisham's local government electorate decreased by approximately 6,400 between the publication in February and December 2014. This reflects the position across other London Boroughs where the electoral rolls fell in 30 of the 33 authorities. With a 87% return to the ITR canvass, in Lewisham this means that just short of 26,000 people have not registered. However, Table 1 may not accurately reflect the true picture for several reasons.
- 6.4 First, because the October HEF canvass was directed at non-responders and properties thought to be empty, it did not capture the data relating to people moving into the borough. In a borough with a demographic profile such as Lewisham, there is a high incidence of "churn" and this is not truly reflected by the partial canvass result from Autumn 2014.
- 6.5 Second, the population of the borough is increasing and, as can be seen from the Table at Appendix A, the electoral roll has been increasing year on year across all constituencies at least since 2009 until February 2014. In the years 2012/2013 and 2013/14 the population of the borough rose by 1.5% in each year and so prior to the implementation of IER, if a commensurate rise in the number on the electoral roll might have been anticipated this would mean a rise of approximately 2,000 based on the electoral rolls up until February 2014..
- 6.6 By contrast, in December 2014, the number on the electoral roll has been lowered by the removal of people who have not responded to the canvass for a period of 2 years. Approximately 6000 people, by law, had to be removed for this reason. Though the ERO has discretion to remove non-responders after one year, he did not do so following the February 2014 canvass because of the impending European and local government elections. Consequently, the number of people removed from the register in December 2014 may be higher than in other years.
- 6.7 Given all of the factors set out in this paragraph 6, it seems reasonable to suggest that there were at least 26,000 people who remained unregistered in the borough as at 1 December 2014.

## **7 Postal voters**

- 7.1 By law, postal voters who were not either automatically transferred to the new electoral roll or registered under the new IER provisions will no longer be able to vote by post with effect from 1<sup>st</sup> December 2014. Because of this, over 1400 existing postal voters have had their postal votes cancelled. The ERO has written to these electors, as required, to advise them accordingly, indicating that they are still able to vote at a polling station, and inviting them to register under the IER provisions and reapply, on the form provided, for a postal vote. Because there would be an impact on these voters at the May 2015 General Election, Electoral Services are giving priority to dealing with these voters.

- 7.2 In addition over 5,700 registered electors applied for a postal vote during the Autumn canvass and they have been sent postal voting application forms. Prior to the Autumn canvass there were just over 22,000 local government electors and just under 20,000 Parliamentary electors with postal votes. After publication of the register on 1 December 2014 these numbers fell to just over 20,000 and 18,000 respectively.
- 7.3 We have to date received 1000 postal vote applications to register to vote from these two write outs.

## **8 Actions to maximise registration**

- 8.1 The ERO recognises that the impact of IER at present in Lewisham is under-registration by approximately 26,000 voters and that this is most significant in wards where there is a prevalence of a number of groups: students and young people, social renters and black and ethnic minority groups. We also recognise that there may be difficulty for some elderly groups in dealing with individual registration, particularly where they have previously been registered by another as head of household.
- 8.2 In an attempt to maximise registration, the ERO has put in place a number of initiatives and has a significant number planned for the future. An outreach and publicity action plan appears at Appendix B. Members will note that this plan addresses all of the groups particularly affected as well as having more general application. Examples of the promotional material produced appears at Appendix C. Of particular note is the campaign (set out at Appendix D) planned for the first two weeks in February 2015 which will focus particularly on registering young people and encouraging them to promote registration by their families and friends. The Young Mayor and his advisors have been instrumental in devising this campaign and will be key to its implementation.
- 8.3 The action plans are detailed and members' attention is drawn to their entirety as set out in Appendices B, C and D. However key features include:-

### **(a) General:-**

1. Participation in the Electoral Commission publicity initiatives and providing their materials to Council outlets - July 2014
2. Information on Council website, reminders on Twitter, Facebook and Council newsletters and Lewisham Life, promotional stall at People's Day – in place
3. Registration questions added to end of competitions on Council website – in place
4. Production of material for use at Local Assembly meetings distributed to all councillors and co-ordinators – sent December 2014 for use Jan/Feb 2015
5. Partnership advertising campaign in partnership with other south London boroughs – September 2014 – aimed at hard to reach groups

6. Articles in "Volunteer" magazine distributed in Lewisham hospital – November 2014
7. Advertising material to be placed on doctors' surgery plasma screens and in Council premises (Access Point, Town Hall) – Jan 2015
8. Letter to go in the school to home bag of every school pupil addressed to parents re need to register – Jan 2015
9. Article re IER to go on all school websites – Jan 2015
10. Council Tax to continue to send details of newly registered people to Electoral Services promptly – in place
11. Council Tax to explore whether it is possible to provide NFI data on a monthly rather than annual basis to enable registration checks to be done more promptly by Electoral Services – Jan 2015
12. Promotional material on outgoing Council Tax envelopes – in place.
13. Use of promotional franking on all outgoing post (save Council Tax demands where it is printed on the back in accordance with Cabinet Office requirements) by February, if possible
- 14 Promotional adverts placed on back of receipts at Argos 99p Stores and Homebase Catford.
13. Explore possibility of promotional material at end of every outgoing Council email (by end January 2015) and implement if possible asap

**(b) Black and ethnic minority groups**

14. Material provided at and registration facilities to be provided at Citizenship Ceremonies – ongoing and on receipt of Electoral Services registration tablets – January 2015
15. Adverts aimed at BME groups placed in September 2014 campaign
16. Promotional material to be distributed among BME voluntary sector - February 2015
17. Item for consideration at Borough Deans meeting attended by Mayor 27<sup>th</sup> January 2015 and script for church leaders to use with their congregation
18. Operation Black Vote to attend borough with campaign bus to promote and secure registration – Feb 2015. LBL to assist with advertising event

19. Material in school bags should promote BME registration as 70% of children in LBL primary schools are BME.

**(c) Social renters**

20. Active participation by Lewisham Homes and Phoenix in promotional initiatives – in place
21. Key rings promoting online registration website issued to Lewisham Homes and Phoenix on which keys are given to new tenants. – in place
22. Promotional material inserted in new residents pack – Jan 2015
23. Item to be written for residents' newsletter for both Phoenix and Lewisham Homes Jan/Feb 2015
24. Lewisham Homes and Phoenix to display video and rolling promotional material on plasma screens at their headquarters.
25. On follow up meetings by Phoenix with tenants in first fortnight of tenancy will offer registration facilities – from February 2015. Lewisham Homes to put this in place as soon as possible later in the year when systems renewed.
26. Attendance at Phoenix community events by LBL staff in early March with registration facilities
27. Phoenix IT club to promote registration on line – Jan 2015
28. Article to appear in February edition of Phoenix publication "Community News"
29. Posters to be displayed at LH and Phoenix headquarters and estate notice boards – January 2015

**(d) Older people**

30. Item to be placed in Positive Ageing newsletter – February 2015
31. Item to be placed on Pensioners Forum and Positive Ageing Council agendas meetings in January and February. Community Services to ask those bodies to identify champion to promote registration by elderly people
32. Material to be supplied by Electoral Services for Community Services to distribute to voluntary sector organisations for elderly people. Meeting with Voluntary Action Lewisham to disseminate Jan/Feb 2015
33. Lewisham Homes to display promotional material at Sheltered Homes sites. Jan/Feb 2015

34. Explore possibility of contacting all elderly people, and those with disabilities using specialised centres. By end of January 2015

**(e) Students and young people**

35. Update birthday card sent to all people reaching 18 yrs to reflect IER and online registration - done

36. Bite the Bullet registration materials being used, particularly in national campaign fortnight. Includes registration and election classroom material (Rock Enrol) provided to all schools for use in Citizenship lessons

37. Promotional material being sent to all Children's Centres and checked for display - February 2015

38. Attended Goldsmiths Freshers' Fair and secured 216 fresh registrations. Distributed promotional material, leaflets, USB sticks, with website and contact details etc. Follow up emails sent to 167 students, opened by 61 – a 40% return to date.

39. Website for registration on student enrolment documents – September 2014.

40. Written to all Goldsmiths students in Jan 2015 sending registration forms. Awaiting responses. Exploring possibility of similar initiative with Lewisham College and Laban.

41. Promotional material to be provided to the NEETs team for distribution to their contacts. Jan 2015.

42. Apprentices - Item to be placed on the Jan/Feb meeting of the Apprentices' Forum re IER

**(f) Schools campaign**

43 Running from 2 February for 2 weeks, to coincide with Bite the Bullet's National Voter Registration Day on 5 February 2015, a detailed and comprehensive programme has been devised with the Young Mayor and his advisor aimed at young people and their families. It will involve a number of work experience students working with Electoral Services, Communications, the Youth Service and the Young Mayors Team. It will involve Council members, officers, young advisors and work experience students promoting registration in schools and in places young people frequent, including schools, shopping centres and youth centres. It will be launched by the Mayor and will include a competition between schools for the best design of a campaign to promote registration. Details appear in Appendix D. The work experience students will be accredited at the end of the two weeks as having had experience of working alongside Electoral Services, Communications etc and so it will provide a useful addition to their CV, as well as assisting greatly with the promotion of democratic participation by young people.



**(g) Intensive canvassing**

44 All of this promotional activity sits alongside the intensive activity of the Electoral Services Team in the coming months to use the formal process to maximise registration. In February 2015, like many other London boroughs, we will send a Household Notification Letter to all 123,000 properties in the Borough setting out details of the entries we have on the electoral register for that address. If the entries are accurate then they will not need to take any further action. If the entries are inaccurate then we will encourage new electors to register on line. Alternatively we will follow up with the standard invitation to register procedure. In Lewisham we expect to send out these letters on 9<sup>th</sup> February 2015. This will coincide with the start of the Electoral Commission's own promotional activity ahead of the General Election and with our schools campaign. If changes other than the addition of new electors are required, such as deletions and requests for postal votes they can be notified to us via a website hosted by the Electoral Reform Society and we will follow up in accordance with normal practice. This process should provide a register which is as accurate as possible in advance of the General Election, as it should have the effect of capturing those who have recently moved into properties in the borough but not yet registered, who would not otherwise have been caught under the statutory procedures set out earlier in this report.

The issue of poll cards around the 30 March, ahead of the UKPGE on the 7 May and publicity around the UKPGE will also add to this activity.

45. The use of system based tablets by canvassers will mean that canvassers will be able to give access to people on the doorstep to enter their details directly onto the government website to register. They will be directly linked to the electoral services management system and will facilitate more efficient canvassing and registration. We expect receipt of these tablets by mid January.

**9. Financial implications**

9.1 We have yet to be notified of funding arrangements for continuing IER transition arrangements. Data has been submitted to the Cabinet Office and we are awaiting the outcome. It is expected that some further provision for outreach costs will be met but we have yet to receive any indication of what that is likely to be. For the financial year 2014/2015 we received a Maximising Registration Grant of £27,644.

9.2 Costs of £28,000 will be incurred for the tablets for a period of two years including all training and maintenance, and the Operation Black Vote campaign bus initiative requires a contribution to the cost of £7,500. The Household notification letter will cost approximately £60,000

9.3 To date Electoral Services have incurred costs of £11,533 on other promotional activity with a further £67,500 committed to operation Black Vote

and Household Notification letter.

- 9.4 To the extent that central government funding for IER promotional activity is insufficient for Council outreach activity spend will either have to be contained within existing budgets or additional provision made.

## **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.

## **14 Conclusion**

The loss of over 26,000 from Lewisham's electoral roll is clearly unacceptable and the Council and the ERO are committed to do all they can to minimise this under registration. The programme set out in this report and its Appendices are testament to this commitment to work in partnership to achieve that aim. It is acknowledged that though there is particular pressure to ensure that the electoral roll is accurate prior to the General Election in May 2015, our efforts must continue to 2016 and beyond to ensure that as many as possible can exercise their democratic right to participate in the electoral process.

## **Background documents**

### ***Report to Elections Committee 14<sup>th</sup> October 2014***

**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**

## Appendix A

<b>Electorate totals</b>						
	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>17-Feb 14</b>	<b>01-Dec14</b>
Local Government Electors	180159	184859	187342	191338	196431	189591
European Parliamentary Electors	12,312	13,149	14247	15671	17456	16569
UK Parliamentary Electors						
Lewisham Deptford	64,809	67,589	68314	70179	71650	69117
Lewisham East	64,937	65,508	65726	66116	66937	64919
Lewisham West & Penge	38,167	38,770	38974	39456	40141	39119
	<b>167,913</b>	<b>171,867</b>	<b>173014</b>	<b>175751</b>	<b>178728</b>	<b>173155</b>
Canvassed properties	117681	118115	119131	120383	121465	
Canvass responses	107739	111730	113273	114683	113890	
% return	<b>92%</b>	<b>95%</b>	<b>95%</b>	<b>95%</b>	94%	

N.B. Members' attention is drawn to the fact that the percentages for returns in February 2014 and prior to that date are based on household returns. There is no comparable figure for December 2014 as these numbers are based on individual registrations.

N.B. The numbers in the December 2014 column relate to the total number of electors and are not based on the number of household responses as in previous years. Of those electors 87% are IER registered.