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Proposals for Individual Electoral Registration (IER) - Implications for Local Government

Purpose of report

For discussion and noting.

Summary

At the last Leadership Board members asked for a report on the implications for local government arising from the proposals to introduce individual voter registration. This report summarises those proposals and highlights some key implications.

Recommendation

The Leadership Board is asked to consider the implications for local government arising from the proposals to introduce individual voter registration.

Action

Officers to action as appropriate.

Contact officers: Joe Simpson
Phone no: 020 7187 7389
E-mail: joe.simpson@local.gov.uk

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Proposals for Individual Electoral Registration (IER) - Some Implications for Local Government

Background

1. Great Britain has had a long tradition of household registration for elections. In many other countries there has been instead a pattern of individual electoral registration.
2. In the last parliament legislation was passed to move to a system of individual voter registration. However the Coalition agreement committed to “reduce electoral fraud by speeding up the implementation of Individual Electoral Registration”. In June 2011 the Government launched its white paper. This committed to:
 - 2.1 Speeding up the implementation of Individual electoral registration to 2014- ahead of the next UK parliamentary general election.
 - 2.2 Dropping the previous Government’s plans for a voluntary phase, but instead having a carry over so that electors who do not register under the new system in 2014 will be carried forward onto that years register and will not lose their entitlement to vote at the 2015 General Election.
 - 2.3 However all new electors and anyone wishing to cast a postal or proxy vote in 2015 will have to be registered under the new system.
3. Putting this another way round, the first year of full impact of the new scheme will be 2016. As the Electoral commission points out this will be the biggest change to our electoral registration system since the introduction of the universal franchise in 1928.
4. Whilst most of the focus has been on the change to IER, the third element of the proposal regarding postal voting may have a particular effect if there is a reduction in the numbers registered for postal votes arising from the changes. There has been a consistent attempt to increase use of postal voting (e.g. all postal pilots etc). There is now a very clear difference in turnout rates by those with postal votes and those without. For the May 2011 referendum turnout was 42.2% Nearly 7.2 million postal votes were issued, of which 5.2 million were returned (72%). In contrast just over 36% of non postal voters voted.
5. The Government is not proposing a national register. As now there will continue to be a series of local registers. (Across the United Kingdom there are 387

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Electoral Registration Officers maintaining the registers containing over 46 million elector records).

What we know about the present system

6. The Electoral Commission estimates that the register for England and Wales is about 91% complete. This is broadly in line with reported estimates for Canada, New Zealand, France and Australia (which has a system of compulsory registration and voting) and significantly above that for the USA.
7. The Commission estimates that approximately £83m is spent on the electoral registration process in Great Britain. It also estimates that over a twelve month period roughly 12% additions are made (around 35 through the rolling registration process and 9% through the annual canvass). Approximately 5 million entries in the electoral registers are changed each year.
8. The Commission has been a long term advocate of change. It has argued that there are serious inaccuracies resulting from the present system. The Commission's 2010 case study of 7 local authorities found that accuracy ranged from 77% to 91%, with the overwhelming cause of inaccuracy being where electors had moved home and not informed the relevant Electoral returning Officer (ERO).
9. In December the Commission will report on the findings of a Cabinet Office funded project designed to provide an updated, nationally-representative estimate of the accuracy and completeness of the electoral registers in Great Britain.
10. We also know which groups are least likely to be on the present electoral register. These are:
 - 10.1 Young people (17-24 year olds).
 - 10.2 Private sector tenants.
 - 10.3 Black and minority ethnic British residents.

What we can learn from Northern Ireland

11. Northern Ireland introduced a system of IER in 2002. This was to address widely held perceptions of impersonation and electoral abuse in Northern Ireland. The first register published in December 2002 contained approximately 120,000 (10%) fewer names than the final household register. Independent research undertaken concluded that the drop could largely be explained by the removal of the "carry forward" facility. But this did not account for all of the

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change. In particular young people (18-24), those in socio economic group DE, people in the rented sector and people with disabilities were less likely to be registered under the new system. To address the fall off issue the Government has proposed a carry forward provision from 2014 to 2015.

12. Changes in 2006 increased the overall numbers registered by introducing data matching (rather than the annual canvass) and also “continuous registration (so no need to resupply information if you have not moved).

Key highlights of the proposed new system

13. The key elements of individual registration will involve signatures, National Insurance Number (NINO) and date of birth (DOB). There will be some acceptable alternatives if people are unable/unwilling to so provide. Exactly what (and what should be retained) are subject to review. The proof of identity clause will be weaker than in Northern Ireland (where physical evidence is required re their name and DOB e.g. birth certificate, driving licence or passport).
14. The Government also proposes further extending the ways in which people can register to vote include telephone and online registration.
15. There are also some other proposals which are subject to consultation. One of these was the suggestion that registration be regarded as personal choice. In practice this is the case, but the present framework posits registration as a civic duty. The Commission and many others have argued against the proposed “opt-out” element of the registration process fearing that registration levels might start to drop nearer to voting levels. The Rt Hon Nick Clegg MP at a recent DPM questions session indicated that the Government was minded to change this element of the proposal. The present position is that there is a legal requirement on the householder to complete the form (though in practice this is hardly ever enforced). What type of responsibility may now be proposed is unclear (civil or criminal?).
16. There is a second unclear element of the proposals. This is about the robustness of any IT based solution to registration. This has already been achieved in Northern Ireland, with a much smaller electoral base (and also one where data bases likely to match e.g. most people who work in Northern Ireland live in Northern Ireland). The first challenge is to have an IT solution to be in place for 2015. The second challenge is to see what potential there is for data matching. The Commission is trialling data matching in a number of areas to test the potential for a national approach to this. There are 22 data matching pilot areas (19 in England 3 in Scotland). The evaluation of these trials will be completed in March 2012.

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17. Government has suggested that the present annual census might also be replaced by more targeted canvassing. Exactly how this mix of targeting, data matching and the census would work should become clearer when the Government responds to the consultation.
18. The Electoral Commission estimates that by July 2014 as many as 2-3 million people across Great Britain could no longer be resident at the address recorded on the December 2013 (household) electoral registers – and would therefore not receive an IER form in July 2014. The Government's own IER impact assessment study suggests that as many as 20% of people eligible to register under IER may not receive an initial invitation to register in 2014. This figure is higher as it includes people not registered, or registered inaccurately, in December 2013 as well as the 5-6% decrease in accuracy arising from the time gap between the registers.
19. In the light of the known submissions to the White Paper we anticipate some further revisions to the transition proposals.

Costs

20. It is estimated that £83m a year is spent on electoral registration in Great Britain. Government estimates that the total cost of IER will be £108m, which has been funded as part of the spending review settlement. This includes £85m resource funding for 2014/15 to fund registration officers to contact each voter. Longer term the estimated annual cost will be £31.8m (though a replacement for the annual canvass could potentially save money).

21. Some implications for local government

- 21.1 Registration affects not merely local government, but has wider implications regarding civic duties (not least jury service). Electoral registers are also used for certain specified law enforcement and crime prevention purposes.
- 21.2 Electoral registers are used as the basis for ensuring representative democracy. This concerns local government even more than national government, given that voters will now vote more often in local government than nationally (Voters can vote at a minimum every four years in local government, whilst nationally elections are now to be every five years).
- 21.3 The 2016 elections will be the effective real live start date for a "pure" IER system. The 1 December 2015 register will consist solely of electors who have registered individually. The 2016 elections will comprise elections for the Greater London authority, local elections in England, Police and Crime

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Commissioners (as well as expected elections for the Scottish Parliament and National Assembly for Wales)

- 21.4 Local government has particular relationships with/responsibilities for a number of groups who are likely to be underrepresented. These include the elderly, disabled people and those in care.
- 21.5 Authorities with high numbers of students may face particular significant changes given that many higher education institutions have effectively acted as “householder” for e.g. halls of residence.
- 21.6 Whilst Government has committed to the funding of the costs of establishing the new system, how this is done is yet to be clarified. The Electoral Commission has argued that this funding be transparent, whilst the association of Electoral Administrators has called for this to be ring fenced.
- 21.7 In its submission in response to the White Paper the Electoral Commission has not directly asked for a radical change in its role. However in a parallel report on the referendum on voting systems for UK parliamentary elections (October 2011) the Commission uses that report to argue for changes. In particular it points out the lack of fit between local government and the new parliamentary boundaries and argues that they should have the power to intervene and ensure consistent standards are met. It also argues that it should be the responsibility of (Acting) Returning Officers and not local authorities to designate polling districts at UK parliamentary elections.
- 21.8 The White Paper makes no mention of the role of Local Government. There are references to the role of the Electoral Commission (e.g. in running a major publicity campaign in 2014). However if any such campaign is to be effective it will need to tie in with local government. More generally the LGA may wish to argue for some role in the supervision of the additional funds, rather than accede to any proposal that the Commission should solely oversee the transition.

An individual local authority example

- 22. The head of electoral services and census liaison for Haringey has quantified what the present system entails. He estimates that a first posting in the current Household format would typically yield a return of around 35% from their 103,000 dwellings. A reminder will boost this to c 52%. They therefore actively canvass 48% (49,000 properties). Canvassing has boosted the figure to a register within the range of 89-94%. Haringey has a high churn- typically around 23%. Although these options are only open to dwellings where there is “no

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change”, there has also been a significant increase to now about one quarter of the total of households using internet, telephone or SMS confirmation.

23. Next Steps

- 23.1 The formal consultation period on the White Paper is now closed and we anticipate the next iteration of proposals in 2012.
- 23.2 The Leadership Board is due to meet with the Electoral Commission in early 2012 (the original date of January 2012 has had to be rearranged and we will advise members when a new date is agreed).
- 23.3 The Political and Constitutional Reform Committee (chaired by Graham Allen MP) is also conducting an enquiry into these proposals. Its final public evidence session was in October with Mark Harper, Minister for Political and Constitutional Reform appearing before the committee. Its last enquiry was about relations between central and local government, and the Chairman has been in regular contact with Graham Allen regarding this.