

Our report on the UK Government's draft statutory instrument to reform the annual canvass | Electoral Commission Search Our report on the UK Government's draft statutory instrument to reform the annual canvass You are in the Our responses to consultations section Home Our responses to consultations First published: 12 July 2019 Last updated: 25 July 2019 Introduction This response sets out our views on the UK Government's draft statutory instrument to amend the process for conducting the annual canvass of electors. We have assessed: whether the current annual canvass system meets its objective of identifying people who should be added to the register, and identifying deletions from the register the extent to which the objective of the canvass would be met if the order proposed by the UK Government was brought into force the merits of alternative ways of meeting the objective of the canvass Summary We welcome the UK Government's proposals for reform of the annual canvass process and see these as an important first step in modernising electoral registration. We have assessed the canvass reform proposals against the objective of the canvass, which is to identify eligible electors who should be added to the register and necessary deletions from the register. The canvass reform proposals should result in greater efficiency, allowing Electoral Registration Officers (EROs) to focus their increasingly limited resources on areas of greatest need thereby better meeting the objective of the canvass. However, the success of canvass reform is highly dependent on new data-sharing mechanisms and careful planning and implementation activities being completed in good time ahead of the start of the 2020 annual canvass, which will commence from July 2020. Beyond the changes proposed in the draft regulations, additional reforms could further improve the efficiency of the electoral registration process. These include: enhanced digital data sharing between organisations holding public data and EROs; automated and automatic registration; and the integration of electoral registration into other public service transactions. We have conducted feasibility studies on each of these reforms and would welcome the opportunity to discuss the findings with the Government and other interested groups. The canvass process now In recent decades there have been significant changes to key aspects of the electoral registration system, notably, the introduction of year-round rolling registration in 2001, and individual electoral registration and online registration in 2014. These changes have meant that the annual canvass is no longer the only way for EROs to identify new electors or changes of address. Under the current rigid statutory requirements for the canvass, EROs have to carry out the same steps in order to obtain a response from every address, even if there has been no change in the people living there who are eligible to be registered. This means that EROs are unable to focus their resources in areas of greatest need, and a disproportionate amount of resource is required to be directed at canvass activity which does not identify eligible electors who should be added to the register or necessary deletions from the register. We do not believe that the current system is meeting the objective of the canvass as well as it should, nor do we believe the model is sustainable in the short to medium term. The current process is characterised by inefficiency, with a disproportionate amount of resource required to be directed to activity which is delivering declining results. The canvass process now: accords How we made our assessment As part of our report we are required to assess whether the current system meets the objective of the canvass, which is to identify eligible electors who should be added to the register and necessary deletions from the register. We have used three types of evidence to do this: Evidence about the accuracy and completeness of the electoral registers. This provides an indication of how effective current electoral registration processes,

including the annual canvass, have been in maintaining the registers. Evidence about the extent to which the annual canvass remains the principal mechanism by which the electoral registers are maintained. Evidence about whether the annual canvass in its current form is fit for purpose, particularly given its inflexibility and resource pressures within local government. The current annual canvass system The annual canvass is essentially an information gathering exercise on potential additions and deletions to the register and is a key tool in helping to maintain the accuracy and completeness of the registers. Historically, the annual canvass was the primary mechanism by which EROs have sought to find out the names and addresses of people who are entitled to be registered but are not registered, or who are registered but are not entitled. In recent decades, there have been major changes to key aspects of the electoral registration system which have had an impact on how the registers are maintained. These changes include rolling registration (introduced in 2001 to allow people to register at any time throughout the year); and individual electoral registration and online registration in 2014. These changes mean that the annual canvass is no longer the only way for EROs to identify new electors or changes of address. During the annual canvass, EROs are required to send a canvass form (Household Enquiry Form (HEF)) to every property in their area. The HEF asks those resident to state whether there have been any changes in the composition of the household. This information is used to identify where people are missing from the register who may need to be invited to apply to register, or where individuals may have moved and their eligibility to remain on the register needs to be considered. The current legislation also requires EROs to issue two written reminders and carry out at least one visit to any non-responding properties. The annual canvass is not a registration exercise on its own as any potential eligible electors returned in a HEF must apply to register individually before they can be added to the register.

Accuracy and completeness of the registers We undertake research to measure the quality of the electoral registers on a periodic basis. Evidence about the accuracy and completeness of the registers helps provide an indication of how effective current methods of maintaining the register are. Our study of the December 2015 Great Britain registers (those published at the end of the transition to IER) indicated that the local government registers were 91% accurate and 84% complete, with the parliamentary registers being 91% accurate and 85% complete. These figures meant that an estimated 8 million people were missing from the electoral registers. Our research on the electoral registers in Great Britain confirms the correlation between certain demographics and lower or higher levels of completeness, with age and mobility still found to be the variables with the strongest impact: the young and those more likely to move home are less likely to be registered. Our December 2015 study found: A clear connection between home movement and completeness: as the register is a property-based database, greater mobility is associated with lower levels of completeness while the longer an individual has been resident at their property, the more likely they are to appear on the electoral register. The highest level of completeness was for those aged 65+ (96%) with the lowest level recorded for attainers (16 and 17 year olds, 45%). There was also a decline in completeness among those aged under 45. The fall among 18-19 year olds, 25-34 year olds and 35-44 year olds was statistically significant. Although evidence suggests that the accuracy of the electoral registers has improved significantly since the introduction of IER (91% accurate as at 1 December 2015, an improvement of four percentage points during the transition to IER), we estimated that there were still between 4 and 4.5 million inaccurate entries on the local government electoral registers. Evidence about the accuracy and

completeness of the registers suggests that current methods employed to maintain the registers, including the annual canvass, are not necessarily working as effectively as they could, particularly in relation to capturing traditionally under-registered groups. One advantage of canvass reform is that it could help EROs tackle under-registration by enabling better targeting of resources in areas of greatest need, leading to more effective identification and registration of eligible electors. However, while we believe canvass reform is a positive step, more far-reaching reforms of the electoral registration system will be required to fully address the challenges of achieving accurate and complete registers. This point is expanded on further in section 'other ways for EROs to get the information they need' of this report. Registration outside the canvass period Information about the patterns of electoral registration activity can provide further insight into the effectiveness of the annual canvass, particularly when we compare the latter to other methods of maintaining the register. An increasing number of citizens are registering outside the canvass period. The UK's governments' joint policy statement noted that 'in 2016 there were twice as many additions to the register outside the canvass period than during the canvass, signalling that the canvass itself is becoming less important in registering eligible electors'. Our own analysis published in 2017 showed that the number of applications appears to be related to the proximity of high-profile electoral events. For example, more than 2.9 million applications to register to vote were made between the Prime Minister's announcement on 18 April 2017 of her intent to hold a general election and the deadline for applications on 22 May. More than 96% of these applications were made using the online service. EROs are required to draw on their local annual budgets to deal with the impact of such unplanned national electoral events. The increasing link between electoral registration and electoral events means that the following annual canvass is less likely to identify eligible electors who should be added to the register, which undermines the achievement of an integral part of the objective of the canvass. In addition, EROs have little flexibility to reflect this in their canvassing methods, resulting in inefficiencies. Some form of contact at a household level is likely, at least in the short to medium term, to remain a key method by which EROs audit their registers, review the accuracy of their records and initiate steps to remove redundant entries, particularly in years where there are no major polls. However, the changing patterns of registration activity mean that a review of the annual canvass is timely. This should also include an examination of the balance of funding and resources for EROs between election-specific activities and the annual canvass of properties. In a digital age, as modernising our elections moves forward there is real opportunity to achieve more fundamental improvements to the system. These should focus on the benefits and costs of more joined-up, data-driven, year-round registration solutions, including an appraisal of the place and format of the annual canvass in such a system.

Inflexibility of the annual canvass The previous section highlights one of the main problems with the current canvass process: its inflexibility. Although the objective of the canvass is to identify potential additions to and deletions from the electoral register, most people (on average 88% of residents across Great Britain) do not move address in any given year. Despite this EROs are legally required, from 1 July each year, to send every household in their area a HEF which says who is registered at that address and asks for changes to be indicated where necessary. When they do not receive a response to that initial form they must send two postal reminders and carry out a household visit in order to encourage a response. This means that, depending on when or if a household responds, they can be contacted up to four times during the

canvass. This is not a particularly efficient use of public money and strengthens the case for developing other ways to establish whether any changes are likely to have occurred in respect of any particular property.

Resource challenges

Responses to our management information survey

issued to EROs in early October 2017 revealed that a number of EROs were facing resource challenges in relation to the canvass, which resulted in problems recruiting and retaining sufficient canvassers. There were also several instances where EROs, in an attempt to seek a more cost effective approach to the canvass, appear to have adopted practices which were not strictly in accordance with the legal requirements of issuing and following up HEFs. The current 'one-size-fits-all' approach is not flexible enough to accommodate the differing requirements of individuals, types of properties or resource pressures within local authorities, nor does it enable process and technological innovations to be explored and utilised. This further undermines the effectiveness of the current approach.

The proposed canvass process

The new canvass process should allow EROs in Great Britain to focus their resources in areas of greatest need, and better meet the objective of the canvass than the current system. Giving EROs access to robust national-level data about the resident population will help them to identify addresses where there is likely to have been a change in the people who are eligible to be registered to vote. The proposed process will reduce the cost of the activity required for properties where there has been no change of residents; EROs will be able to focus their efforts at addresses where there has been change. These changes are highly dependent on new data sharing mechanisms, which need careful implementation in good time ahead of the start of the 2020 annual canvass, which will commence from July 2020.

The proposed canvass process: accordions

Developing the reformed canvass model

A number of alternative canvassing models were piloted in 2016 and 2017. The pilots were set up by Cabinet Office and individual EROs, and we undertook an evaluation of them. Our evaluation highlighted the potential to make better use of data to improve the efficiency of canvassing, particularly by reducing the follow-up work necessary with data-matched households and delivering cost savings. Based on the evidence from the pilots, the UK, Scottish and Welsh governments concluded that a hybrid model, taking the successful elements of each of the models and refining certain processes, was the best way forward. This model is provided for in the draft regulations and require EROs first to perform a data match step, which will determine whether to follow a new lighter touch canvass process or the modified full canvass process for a specific property. The idea is that the canvass process will be streamlined for those properties which are likely to have not changed household composition, allowing the ERO to target their resources to where responses and updates to the electoral register are required. There is also an exemptions process for certain types of properties less suited to traditional canvassing methods – for example, care homes, Houses in Multiple Occupation and student halls of residence – which allows the ERO to seek information on residents in a different way. We are required to assess whether the reformed canvass process as proposed would meet the objective of the canvass to identify eligible electors who should be added to the register and necessary deletions from the register. In order to answer this question we have focused on the following areas:

- Annual canvass data matching exercise
- Modified full canvass process
- Canvass communications and form design
- Effective planning and implementation

Potential benefits of the data match step

The draft regulations require EROs first to undertake a prescribed data match step, the results of which will determine whether EROs follow a 'light touch' process or the modified full canvass process. The data match step should enable EROs to identify households which

are likely not to have changed composition, providing an indication that any additions or deletions are not likely to be required for those properties. This will allow a more efficient way of identifying households where a change in composition is likely to have occurred and where the full canvass process would be necessary. To that extent, data matching should still enable the objective of the canvass to be met, but more efficiently insofar as the processes followed would be more proportionate to the likelihood of change having occurred within a particular household. The new lighter touch canvass process will reduce the cost of the activity required for properties where there has been no change of residents – EROs will be able to focus their efforts at addresses where there has been change. Conditions of successful data matching

There are several factors that will be important for the success of data matching. The first concerns whether the datasets to be used for data matching will be of sufficient quality to allow EROs to make robust decisions about which process to follow for each property in their area. The draft regulations require entries on the electoral register to be matched against a national dataset; this will be the Department for Work and Pensions' Customer Information System (DWP CIS). The joint policy statement refers to the DWP CIS dataset being on average 95.4% accurate, making reference to the results of a data matching pilot scheme from 2012. The statement explains that the DWP CIS "is also acknowledged as one of the most comprehensive datasets in the country, covering virtually all those aged 16 years and above. Following discussions with DWP there is no reason to believe this accuracy rate has decreased, indeed it is more likely that the accuracy has probably increased". This suggests that the DWP CIS is a comprehensive and largely accurate dataset, providing some assurance that its use should not lead to poorly targeted canvassing of properties. The evaluation of 'confirmation' (i.e. the data matching of names and addresses on the electoral register against the DWP CIS to support of the transition to IER) found that 79% of electors matched against DWP records. This suggests that the dataset has good overall coverage and should provide a cost-effective basis for canvass reform. Other reliable national data sources may become available in the future, which could potentially improve the effectiveness of the data match step and pave the way for further registration reform. However, the draft regulations are not future proofed in this way and we would therefore recommend that they be amended accordingly. The explanatory memorandum to the draft regulations refers to EROs being able to take into account 'any other information or local data sources they hold as part of the data match step'. This information may be taken into account in an ERO's decision to put a property down the light touch process. We understand that the intention is that EROs will be able to access local data using Regulation 23, 35 or 35A powers, but would recommend that in the interests of clarity these powers are referred to explicitly in the draft regulations. More fundamentally, it is essential that only good quality, accurate, locally-held data should be used when matching electoral registration records ahead of the annual canvass. The draft regulations do not specify the types of factors that EROs should take into account when deciding whether to use specific local datasets. Clear guidance will therefore be required to support EROs with identifying and using data sets appropriately.

Continued importance of full canvassing

The draft regulations provide for the full annual canvass process to be conducted in cases where the data match indicates there has been a change in household composition. We agree that the initial contact with properties subject to the full canvass process should be by sending a paper form to the property. Where an ERO believes there may have been some change in occupancy, it would not be logical to send an electronic contact to an individual who is currently

registered at the property. We agree that EROs should continue to be required to make several contacts with these properties, to ensure that they obtain the information they need to either identify changes in residents, or confirm that there has in fact been no change. We also support the introduction of some discretion for EROs to vary the way that follow-up contacts are made, allowing EROs to target their resources based on an assessment of what will work best. Our evaluation of the annual canvass pilots in 2017 showed that using different contact methods could result in higher response rates than when the same approach was made repeatedly. The retention of the full canvass process in cases where data matching has indicated a change in household composition will be essential in enabling EROs to continue to meet the objective of the canvass to identify eligible electors who should be added to the register and necessary deletions from the register. Canvass communications and form design The draft regulations place a duty on the Electoral Commission to design three types of written paper canvass communications: a paper communication for use during the light touch canvass (Canvass Communication A); a canvass form to be used for the modified full canvass process (Canvass Form); and a paper communication alternative to the Canvass Form for use during the full canvass process (Canvass Communication B). We note that Canvass Communication B has no prescribed content. We welcome the flexibility and scope for innovation that this provides and will work closely with EROs and Electoral Management Software (EMS) suppliers to ensure this is an effective alternative communication to the Canvass Form. We will also undertake user testing to ensure that this communication is easy for citizens to understand and complete.

Effective planning and implementation The changes provided for in the draft regulations are highly dependent on new data matching mechanisms. Coordinated and timely development and testing of the digital elements of the reforms will be essential if the changes are to be implemented in good time for the start of the 2020 annual canvass, which will commence from July 2020. It is clear that the window of opportunity for implementing the proposals is small and there is little room for slippage. We understand that digital work is underway in a number of key areas, including with EMS suppliers, DWP, Cabinet Office and the IER digital service, to develop the necessary infrastructure to support canvass reform. This work will require effective communication between partners and close management attention to ensure the key elements of canvass reform are delivered on schedule. Changes to EMS systems and the IER digital service to support both national and local data matching will be crucial, as will a robust training needs assessment to identify the precise requirements of EROs and their teams. EROs will also need access to reliable management information, via their EMS systems, to help them understand the impact of their activities during the reformed annual canvass. The canvass reform legislation should be clear at least six months before the commencement of the 2020 canvass (i.e. regulations should be made by Parliament by the end of December 2019). This will enable EROs to plan effectively for the changes, and provide adequate time for the user testing and translating of forms and materials, as well as the provision of revised guidance for EROs. Any delays to the making of the legislation will increase the risks around timely and effective implementation of the proposals. The UK's governments will also need to consider how these important changes will be delivered alongside other significant electoral registration and franchise reforms that are currently being considered by governments and legislatures. These include allowing all British citizens overseas to register to vote at UK Parliament elections, allowing 16 and 17 year-olds to vote at Welsh elections, and extending the franchise in Scottish elections to citizens of all nationalities legally resident in Scotland.

Other ways for EROs to get the information they need Beyond the changes proposed in the draft regulations, there are further reforms which would help EROs to better meet the objective of the canvass in future. The UK's governments should build on the use of DWP data at the start of the annual canvass, and explore additional ways to improve the accuracy and completeness of electoral registers. They should learn from the ways other countries use data to compile and maintain electoral registers. EROs could use robust data from other public organisations throughout the year to identify people who are not currently registered. Taking steps to encourage registration applications throughout the year would improve the match with DWP data at the start of the canvass. This reform could be taken further by introducing systems of automated or automatic registration. The electoral registration process should also be more widely integrated into other public service transactions. This would enable simultaneous voter registration applications alongside accessing other public services, and offer further potential benefits in relation to improved accuracy and completeness of the registers. We have carried out feasibility studies to show how these changes could be implemented in the UK. We will publish these in summer 2019, and look forward to discussing the findings with governments and other interested groups.

Other ways for EROs to get the information they need: accordions

Continuing reform and modernisation Reform of the annual canvass represents an important step to modernise the electoral registration system, but there is more that should be done to ensure we have an effective, joined-up and year-round registration process. We want the UK's governments to develop longer-term plans for electoral registration reform that build on the canvass reform proposals. Successful implementation and integration of canvass reform into business as usual practices in the electoral registration system is the clear priority over the short to medium term. However, the universal embedding of a more data-driven approach to managing the annual canvass offers considerable scope for reforming the system further. This should aim to reflect people's changing expectations in a digital society by building on the increasing use of data across the public and private sectors to the benefit of citizens and the delivery of efficiencies. The goal is an electoral registration system that is more joined-up with other public services, making registering to vote even simpler for the public and more efficient for EROs. This must include exploring the potential for integrating applications into other public service transactions, and making better use of national data to identify new electors or home movers. In addition, automatic registration methods should be explored further, drawing on other countries' experiences.

Feasibility studies To help inform the debate about continuing reform and modernisation, we recently completed a series of feasibility studies on the following reforms:

Better use of public data by EROs EROs can currently access data held locally by local authorities and others to help identify potential electors and manage their electoral registers. We wanted to explore the potential benefits for voters and EROs of enabling access to non-local public data. This could be particularly useful in helping to identify people who have changed address and updated their details with other public services, for example when they have applied for a driving licence or passport.

Direct or automatic enrolment processes Building on the better use of public data study, we examined options for increasing the level of automation within the electoral registration system. We explored the feasibility of introducing systems of:

- automatic registration – where citizens would be added to the electoral register, or their address updated, without them being required to take any further steps at all;
- automated registration – where reliable data would serve as the basis of an individual's electoral registration application, but the individual

would still be required to take some further, affirmative steps before being added to the register. Integrating electoral registration into other public service transactions We examined the extent to which the electoral registration process could enable simultaneous voter registration applications alongside accessing other public services. Better identification and management of duplicate registration applications We also considered a number of potential ways in which duplicate applications might be better identified and managed within the system to understand how such reforms could be implemented in the UK and inform the debate. Importantly, we found that these reforms are feasible from a technical perspective and could be implemented without radically altering the structure of the electoral registration system in the UK. In particular, technology already employed by the IER Digital Service could form the building blocks for these reforms. EROs would require access to a wider range of national data sources, including transactional data held by organisations including DVLA, HM Passport Office, HMRC and those within the education sector to help identify, target and potentially register citizens. The potential benefits of these reforms include: Improving the accuracy and completeness of the registers by giving EROs additional tools with which to identify and potentially register new eligible citizens, including under-registered groups; and helping ensure electoral registration entries are kept up-to-date Opening up additional registration channels to improve accessibility of the electoral registration system Improving the ability to detect and prevent fraud, and provide the necessary basis for any move towards different ways of voting in the future Reducing the overall costs of electoral registration further through more efficient processes We intend to publish the findings of the feasibility studies this summer and would welcome the opportunity to discuss them with governments and other interested groups. Context More information on our response We welcome the proposals to reform the annual electoral registration canvass in Great Britain and the opportunity to comment more specifically on the UK Government's draft Representation of the People (Annual Canvass) (Amendment) Regulations 2019. The Cabinet Office launched the formal consultation with the Electoral Commission on 27 March 2019. We were subsequently sent an updated version of the draft regulations on 21 May 2019 and our comments set out in this report reflect our review of that later version. The Scottish Government and Welsh Government are bringing forward their own regulations in order to apply these reforms to the local government registers in Scotland and Wales, with the aim of ensuring that the respective regulations are as consistent as possible, thereby reducing the risk of confusion for Electoral Registration Officers (EROs) and electors. We are currently being consulted on the draft Representation of the People (Annual Canvass) (Scotland) Regulations 2019 and expect to be consulted imminently on the Welsh legislation. Section 8 of the Electoral Registration and Administration Act 2013 requires the Commission to prepare a report assessing: Whether the current system meets the objective of the canvass to identify eligible electors who should be added to the register and necessary deletions from the register The extent to which the objective of the canvass would be met if the order made under Section 7 of the Electoral Registration and Administration Act 2013 was brought into force The merits of alternative ways of meeting the objective of the canvass We have welcomed early dialogue with Cabinet Office officials on the technical detail of the draft regulations. During the consultation period we received comments on the canvass reform proposals and draft regulations from the Association of s (AEA) and the Scottish Assessors' Association (SAA). We have taken these into account in developing our response. The comments set out in this report also build on our November 2018

response to the UK, Scottish and Welsh governments' joint policy statement on proposals for reform of the annual canvass. Related content Register to vote All you need to register to vote is 5 minutes and your National Insurance number. Report: How the 2017 UK general election was run Read our report about how the 2017 general election was run Our Commissioners Donations and loans Find out about donations and loans to a political party, individual or other organisation