



# THE ASSOCIATION OF ELECTORAL ADMINISTRATORS

## Formal response to the Better Use of Data Consultation Paper

### 1. INTRODUCTION

1.1. The Association of Electoral Administrators (AEA) was founded in 1987 and is the professional body representing the interests of electoral administrators in the United Kingdom. It is a non-governmental and non-partisan body and has some 1,866 members, the majority of whom are employed by local authorities to provide electoral registration and election services.

1.2. This paper sets out the AEA's views in relation to the questions raised in the consultation document published in February 2016.

1.3. The AEA's primary concern is about the effect of any proposed changes to the law which would impact on electoral registration and the administration of elections and which might arise as a result of the issues identified in the consultation paper. Any such changes would need to be carefully considered in terms of the practical implications and the way in which the changes would be introduced and administered.

1.4 The consultation paper in general does not cover electoral registration. However, we have responded to some of the questions in the consultation paper, where appropriate. However, paragraph 1 highlights that *proportionate secure and well-governed sharing of information between public authorities can improve the lives of citizens, support decision on the economy which allow our businesses to flourish, and improve the efficiency and effectiveness of the public sector*. Section 2 highlights two areas which requires legislation to allow public agencies to share personal data with other public agencies in specific contexts in order to improve the welfare of the individual in question. The AEA believes there is a third area which could be explored as part of this consultation paper and would support John Penrose MP, the Minister for Constitution Reform, in terms of his vision on the future of electoral registration. Individual electoral registration has recently been introduced and eligible residents can now register to vote online. However, whilst registration is available on line, legislation still requires numerous manual stages with household enquiry forms and invitations to register along with an annual household canvass. Whilst the Electoral Registration Officer (ERO) can access local authority records for data matching to identify potential new electors, access to other public data sources would assist the ERO in ensuring the

electoral register is complete and accurate. The Minister's vision for electoral registration aims to make electoral registration more efficient and to reduce bureaucracy and costs. It is therefore important that the work of the Minister in relation to his vision links into this programme given the objective of a complete and accurate register of electors along with the efficiencies which would be achieved with increased access to data held by public bodies. Such an approach would also make it easier for citizens to register to vote.

1.5 This approach is supported in paragraph 10 of the consultation paper which states "Public authorities are operating within a time of great spending restraint. As a result, there needs to be a shift to more collaborative ways of working between public authorities to improve the effectiveness of operations whilst driving down costs.....Greater data-enabled collaboration between public authorities can help ensure citizens receive the services they require....."

## **2. ANSWERS TO SPECIFIC QUESTIONS**

### **IMPROVING PUBLIC SERVICE DELIVERY**

#### **1. Are there any objectives that you believe should be included in this power that would *not* meet these criteria?**

No comment. However, the AEA believes that a new objective could be included which **would** meet the criteria set out, namely, the use of public data to ensure the register of electors is as complete and accurate as possible. This can be linked to paragraph 39 *section b: the facilitation of the provision of a benefit (whether or not financial) to individuals of a particular description*. At present, if an elector fails verification with DWP records at the application stage and the ERO fails to data match against local authority records, the potential elector has to provide documentary evidence before the ERO can register them to vote. Access to other public data records would increase the data sets available for the ERO to verify against which could mean that the elector becomes registered without having to provide the documentary evidence.

Paragraph 40 outlines two initial objectives set out in proposed legislation:

- automatic provision of fuel poverty assistance to those most in need, and
- improving the ability to identify families who would benefit from the Troubled Families programme.

Based on the above and looking at the future of electoral registration, this is an opportunity to make a radical change, namely, instead of EROs conducting an annual household canvass to compile the register of electors, electors could be registered automatically using reliable public data sources.

**2. Are there any public authorities that you consider would not fit under this definition?**

An Electoral Registration Officer (ERO) – the Representation of the People Act 1983 requires that each local authority appoints an officer of the council to be the registration officer. An ERO is not a public authority.

**3. Should non-public authorities (such as private companies and charities) that fulfil a public service function to a public authority be included in the scope of the delivering public services power?**

Yes - Access to public utility services data records such as electricity, gas, and water would assist EROs in ensuring all those residents who are eligible to register are registered to vote.

**4. Are these the correct principles that should be set out in the Code of Practice for this power?**

No comment.

**PROVIDING ASSISTANCE TO CITIZENS LIVING IN FUEL POVERTY**

**5. Should the Government share information with non-public sector organisations as proposed for the sole purpose of providing assistance to citizens living in fuel poverty?**

No comment.

**6. Would the provision of energy bill rebates, alongside information about energy efficiency support, be appropriate forms of assistance to citizens living in fuel poverty?**

No comment.

**7. Are there other forms of fuel poverty assistance for citizens that should be considered for inclusion in the proposed power?**

No comment.

**ACCESS TO CIVIL REGISTRATION TO IMPROVE PUBLIC SERVICE DELIVERY**

**8. Should a government department be able to access birth details electronically for the purpose of providing a public service, e.g. an application for child benefit?**

This principle already applies within the context of electoral registration when an applicant's name and national insurance number is checked against DWP

records as part of the verification process. Based on this principle, then a government department should be able to check birth details electronically. Whilst this data may not assist an ERO directly, access to those government records for example, DVLA records, TV licences and other public data could mean a person is verified and registered to vote by data matching against such records if the applicant fails at DWP verification. As above, this could mean that the applicant does not have to provide documentary evidence.

**9. Do you think bulk registration information, such as details of all deaths, should be shared between civil registration officials and specified public authorities to ensure records are kept up to date (e.g. to prevent correspondence being sent to families of a deceased person)?**

Yes. The Electoral Registration Officer receives data from their local registrar relating to deaths in their area so that the person is then removed from the register of electors which will prevent correspondence such of poll cards and postal votes for an election being sent to the deceased person. This also reduces the opportunity for electoral fraud.

## **COMBATING FRAUD AGAINST THE PUBLIC SECTOR THROUGH FASTER AND SIMPLER ACCESS TO DATA**

**10. Are there other measures which could be set out in the Code of Practice covering the proposed new power to combat fraud to strengthen the safeguards around access to data by specified public authorities?**

No comment.

**11. It is proposed that the power to improve access to information by public authorities to combat fraud will be reviewed by the Minister after a defined period of time. This time will allow for pilots to be established and outcomes and benefits evaluated. How long should the Fraud gateway be operational for before it is reviewed?**

No comment.

## **IMPROVING ACCESS TO DATA TO ENABLE BETTER MANAGEMENT OF DEBT OWED TO THE PUBLIC SECTOR**

**12. Which organisations should Government work with to ensure fairness is paramount when making decisions about affordability for vulnerable debtors who owe multiple debts?**

No comment.

**13. How can Government ensure the appropriate scrutiny so pilots under the power are effectively designed and deliver against the objectives of the power?**

No comment.

**14. It is proposed that the power to improve access to information by public authorities for the purpose of better managing debt owed to government will be reviewed by the Minister after a defined period of time. This time will allow for pilots to be established and outcomes and benefits evaluated. How long should the debt power be operational for before it is reviewed?**

No comment.

#### **ACCESS TO DATA WHICH MUST BE LINKED AND DE-IDENTIFIED USING DEFINED PROCESSES FOR RESEARCH PURPOSES**

**15. Should fees be charged by public authorities for providing data for research purposes, and if so should there be a maximum fee permitted which is monitored by the UK Statistics Authority?**

No comment in relation to fees for research purposes. However, the fees charged for the sale of the full and edited register of electors should be at a rate that reflects the costs of compiling and maintaining the register of electors. The current fees set out in legislation do not reflect this and local authorities are subsidising profit making companies with the sale of the register of electors.

**16. To ensure a consistent approach towards departments accepting or declining requests for disclosing information for research projects, should the UK Statistics Authority as the accreditation body publish details of rejected applications and the reasons for their rejection?**

No comment.

**17. What principles or criteria do you think should be used to identify research that has the potential for public benefit, or research that will not be in the public benefit?**

No comment.

#### **ACCESS BY UK STATISTICS AUTHORITY TO IDENTIFIED DATA FOR THE PURPOSE OF PRODUCING OFFICIAL STATISTICS AND RESEARCH**

**18. Is two years a reasonable maximum period of time for the duration of a notice for the supply of data to the UK Statistics**

**Authority for the purposes of producing National and official statistics and statistical research?**

Each ERO currently provides ONS statistics every year once the revised register of electors is published on 1 December. It is important that electoral management software suppliers are given sufficient notice of the data required. Once a new register of electors has been published each year, it will be difficult to obtain statistics from a previous register.

**19. If your business has provided a survey return to the ONS in the past we would welcome your views on:  
(a) the administration burden experienced and the costs incurred in completing the survey, and**

As a business, the AEA completes the earnings survey for the ONS each year. The survey only covers 2 employees so it may only take a couple of hours to find the information, complete the form and post it. However, for larger business organisations it would have implications.

**(b) ways in which the UK Statistics Authority should seek to use the new powers to further reduce the administrative burdens on businesses who provide data to the ONS for the purposes of producing National and other official statistics.**

Whilst the following comment does not relate to new powers, it would assist businesses if it was possible to complete the survey online.

**20. What principles and factors should be considered in preparing the Code of Practice on matters to be considered before making changes to processes that collect, store, organise or retrieve data?**

No comment.

**John Turner  
Chief Executive**

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