



CANVASS REFORM

Public Sector Equality Duty – Equality Impact Assessment

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Introduction

The Annual Canvass

The annual canvass must be conducted each year by all Electoral Registration Officers (EROs), for every residential property in Great Britain. Legislation to deliver canvass reform will be taken forward by the UK Government, the Scottish Government and the Welsh Government in late 2019 and early 2020. It is intended that the reformed canvass will operate in Great Britain each year from 2020.

The scale of the reforms, given the scale of the canvass, is large. The reformed canvass will touch the 46.5 million electors currently on the register in Great Britain. This may be higher when we take into account eligible electors resident in Great Britain that are not currently registered.

Protected Characteristics

The Equality Act 2010 provides that public bodies are under a duty to have 'due regard' to the need to:

- Eliminate unlawful discrimination, harassment, victimisation;
- Advance equality of opportunity between different groups; and
- Foster good relations between different groups¹

In line with this duty we have considered the potential impacts of the intended reforms of the annual canvass on those with protected characteristics, as covered by the general equality duty.

The characteristics that are protected by the Equality Act 2010 are as follows:

- age
- disability
- gender reassignment
- marriage or civil partnership (in employment only)
- pregnancy and maternity
- race

¹ Section 149 (1), Equality Act 2010.

- religion or belief
- sex
- sexual orientation²

² Section 4, Equality Act 2010.

Glossary of terms

AEA – Association of Electoral Administrators

Attainer – An attainer is someone who turns 18, or 16 in Scotland, by the end of the twelve months following the 1 December publication of the register. Attainers over the age of 16 will be added to the registers alongside the date on which they become entitled to vote.

DWP – Department for Work and Pensions

EC – Electoral Commission

ERO – Electoral Registration Officer

HEF – Household Enquiry Form, a form of paper communication issued under the current canvass system

IER – Individual Electoral Registration

ITR – Invitation to Register, a form which is sent by Electoral Registration Officers to potential electors to invite them to register to vote by filling out an enclosed form or by registering online at www.gov.uk/register-to-vote. This can be sent as a part of the canvass process or throughout the year.

NINOs – National Insurance Numbers

Personal contact – A part of the Route 2 cycle. One of either: a phone call (to all matched members of the household a number is held for, unless a response is received) or a door knock at the property.

RNIB – Royal National Institute of Blind People

SAA – Scottish Assessors Association

SOLACE – The Society of Local Authority Chief Executives

Background to the reforms

The current canvass

Overview of the current canvass process

Since the introduction of IER in 2014, the canvass has been an information gathering exercise which is used to inform potential additions to, and deletions from, the electoral register. Under the previous system, the “head of the household” could register all those in a property with no identity verification needed. This provided for an unacceptable risk of fraud. It also meant that individuals did not have the right to choose when and where they wanted to apply to register, which was not acceptable in a modern, pluralistic democracy.

Each person must now register individually and provide a National Insurance Number, which is then verified against DWP data, before they are added to the register. With the associated introduction of online registration in 2014, registering to vote is now easier, more secure and less open to fraud. These changes mean the annual canvass is therefore no longer a registration process in itself, although it forms part of EROs’ wider registration duties.

EROs must individually invite potential new electors to apply to register, and verify their identity, before they can be added to the register. This process sits separately to the annual canvass but can, and generally does, occur concurrently.

EROs in Great Britain are required to conduct an annual canvass of all residential properties in the area for which they have responsibility. This is defined in law by the Representation of the People Act 1983 (RPA 1983) which places a duty on EROs to maintain the electoral register for their area and requires them to conduct an annual canvass of all residential properties in their area.

Further provision in relation to the conduct of the annual canvass is made in the Representation of the People (England and Wales) Regulations 2001 and the Representation of the People (Scotland) Regulations 2001.

The purpose of the canvass is to identify everyone who should be on the electoral register. This means identifying citizens who should be registered but are currently not, as well as identifying electors who no longer reside at a property and should therefore be removed from the register. A revised version of the electoral register must be published each year by 1 December, following the conclusion of the annual canvass. The publication of the revised register can be deferred until 1 February if there has been an election held in the area during the canvass period.

EROs must send every household an annual canvass form (currently known as a Household Enquiry Form, or HEF). The HEF requires a response, regardless of whether there have been any changes in the household to report. Failure to respond is an offence and magistrates have the power to impose a fine of up to £1000, if an individual is found guilty.

EROs must follow up any non-responses with a further two reminders and carry out a household visit, if required. The household visit can be conducted at any stage; any of the initial, first reminder and second reminder HEF steps can be combined with the household visit or it can be conducted as a separate process. Each HEF must be issued in paper form and be accompanied by an addressed pre-paid return envelope.

Problems with the current canvass

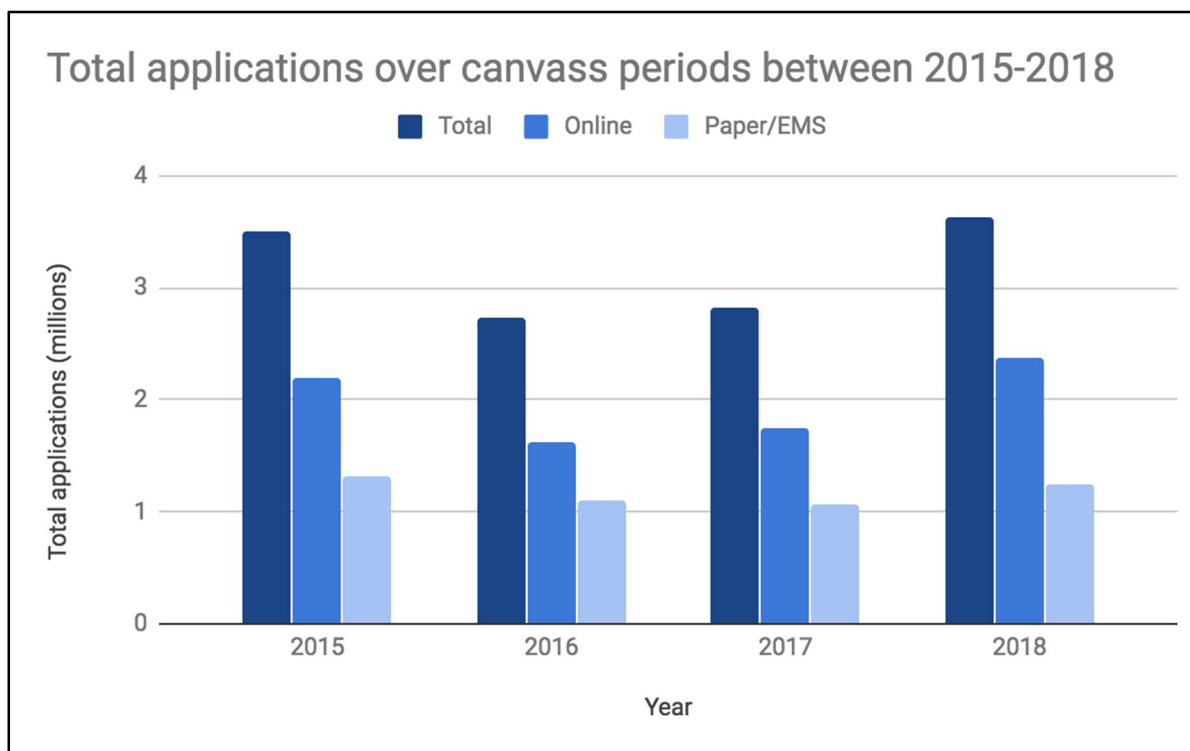
While the current canvass is effective overall in meeting its objectives, it is widely recognised to be outdated and cumbersome. For example:

- The one-size-fits-all approach, incorporating numerous prescribed steps, takes little account of differences within and between registration areas. For example, an area where households rarely experience a change in residents over a number of years or decades must be treated exactly the same as areas where change occurs regularly, such as areas populated by a high proportion of students.
- It is heavily paper-based, expensive, complex to administer and stifles innovation. The current process requires, in law, EROs to contact every household in the same way and they are not able to use data at their disposal to focus on properties where there has been a change in household composition. Instead, EROs must spend a large proportion of their resources proving that, for an estimated 75% of properties nationally, there has not been a change. This is at odds with the purpose of the canvass which is to inform potential additions to, or deletions from, the register.
- It is also clear that the current process leads to confusion for the citizen. The Household Enquiry Forms sent to every property require details to be provided for eligible electors at the property who are not currently registered at that address. When these details are provided it is often expected by the citizen that this constitutes an application to register to vote. In fact, providing this information allows an ERO to send Invitations to Register – forms which closely resemble the appearance of a HEF. Consequently electors believe they are being asked to repeat the process and do not complete the applications to register to vote. EROs will then spend additional resources on encouraging a response to an ITR. This is a cause of frustration for both electors and EROs.

What is more, the annual canvass is only one of the many ways an ERO is able to find information to update their electoral register. It sits alongside year-round activities such as mining other datasets (for example council tax records) to identify residents who are not currently registered to vote, and specific targeted work for certain groups.

Since the introduction of online electoral registration in 2014, there has also been a shift to 'event-led' registration, where hundreds of thousands of applications are made in the run up to polls.

That said, no major national polls were held in 2018, in contrast to 2015, 2016 and



2017. Data from the IER Digital Service shows that the number of applications to register to vote was significantly higher during the canvass in 2018 when compared to previous years following the transition to IER³. This is likely to be because changes to the electoral register were picked up via the annual canvass, rather than in the run up to a poll.

Canvass Pilots and Implementation

³ For the period from 1st July-1st December, applications verified through the IER Digital Service following the transition to IER totalled: 2,734,484 (2016), 2,818,637 (2017) and 3,627,644 (2018).

Pilots of alternative models for conducting the annual canvass were run in 2016 and 2017⁴.

From the evaluation of the pilots it is clear that there is merit in enabling EROs to more effectively target their resources towards those properties where the occupiers have changed and the electoral register needs to be updated. This would allow them to ensure their resources are targeted at the properties which need it, with a more streamlined process for those properties where composition remains the same.

The Electoral Registration and Administration (ERA) Act 2013 contains a broad power in section 7 to amend or abolish the canvass in Great Britain through secondary legislation. The intention is to use this power (and powers to make and amend regulations provided by the 1983 Act) to amend the legislation governing the annual canvass before the end of 2019. Our aim is that the whole of Great Britain can benefit from the reformed canvass from July 2020.

Legislation will also need to be made in the Scottish Parliament and the Welsh Assembly in relation to the local government registers in Scotland and Wales. Given this, three Statutory Instruments will be required – one taken forward by the UK Government in relation to UK Parliamentary register in Great Britain and the local government register in England, and one taken forward by each of the Scottish and Welsh Governments in relation to the local government registers in Scotland and Wales.

Objectives for canvass reform

The intention is that the legislation governing the reformed annual canvass is less prescriptive and, therefore, more permissive than is currently the case. The objectives of canvass reform are:

- to make the process simpler and clearer for citizens;
- to give EROs greater discretion to run a tailored canvass which better suits their local area;
- to reduce the administrative burden on EROs and the financial burden on taxpayers;
- to safeguard the completeness and accuracy of the registers;
- to maintain the security and integrity of the registers; and

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/719824/Piloting_Alternative_Electoral_Canvassing_Models_-_Full_Report.pdf

- to include the capacity for innovation and improvement, with a model that is adaptable to future change.

The purpose of the reformed canvass of households will be the same as now, that is to find out:

- the names and addresses of persons who are entitled to be registered but who are not already registered;
- those persons who are on the register but who are no longer entitled to be registered at a particular address (normally because they have moved).

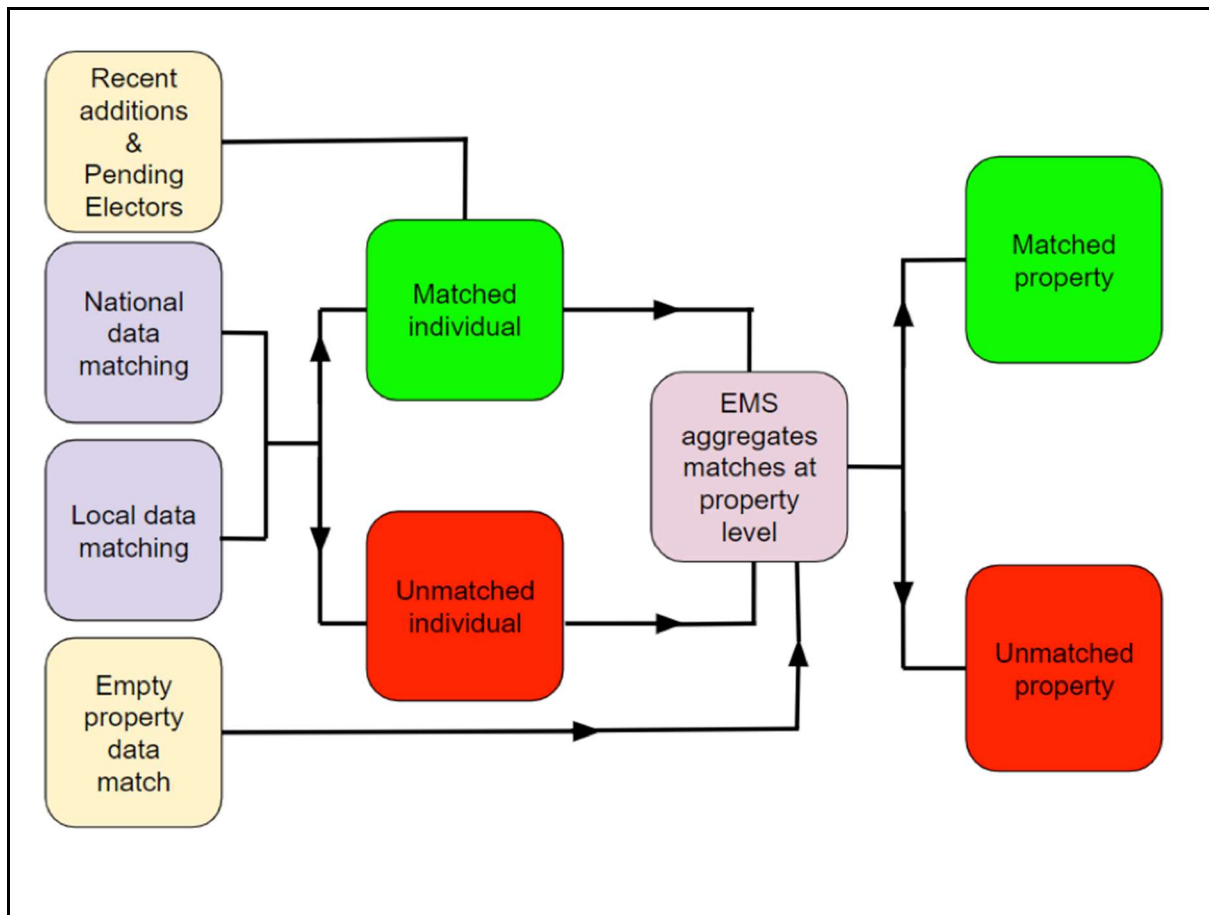
We do not intend to amend the dates during which EROs conduct the canvass. It will remain a matter for EROs' discretion when they wish to start their canvass. The requirement to publish the revised register by 1 December each year will remain, as will the ability to defer publication of the revised register until 1 February if they hold an election in their area within the canvass period.

The annual canvass forms an integral part of the year round registration process. The need for EROs to complete exercises to find new electors throughout the year, and consistently maintain the accuracy of their registers (i.e. completing deletions throughout the year) will be instrumental to the successful implementation of the reforms. We will be working closely with EROs throughout the implementation period to ensure they have the capability and tools required to move towards the reformed canvass process.

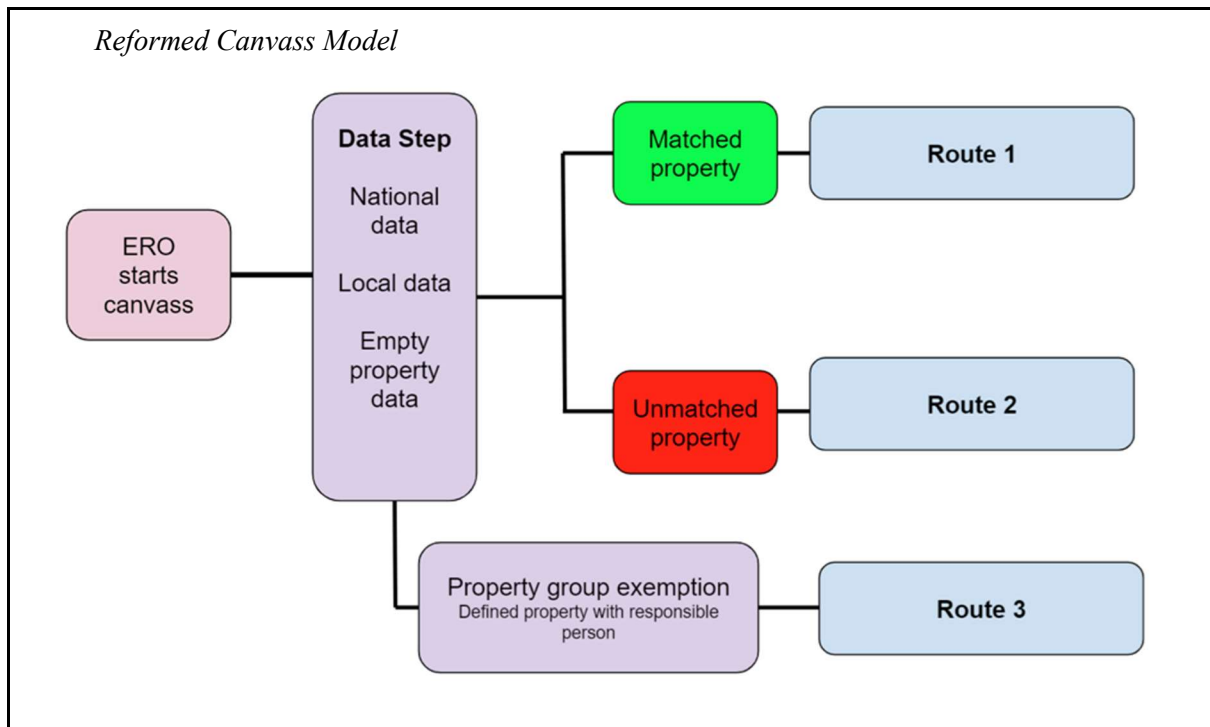
Summary of the new canvass model

The new canvass will incorporate a 'data matching step' at the outset of the process. Specified data EROs hold on registered electors will be checked against national DWP data as a mandatory step and local data sets on a discretionary basis. Positive and negative individual matches will be aggregated at the household level. This will inform the ERO, based on the data available to them, which properties are likely to have not changed household composition, based on matching their data on registered electors against national Government data and, where relevant, locally held data sources. Where the data the ERO holds on registered electors matches data in another reliable and accurate dataset, the ERO can have some confidence that the details they hold on their register remain accurate.

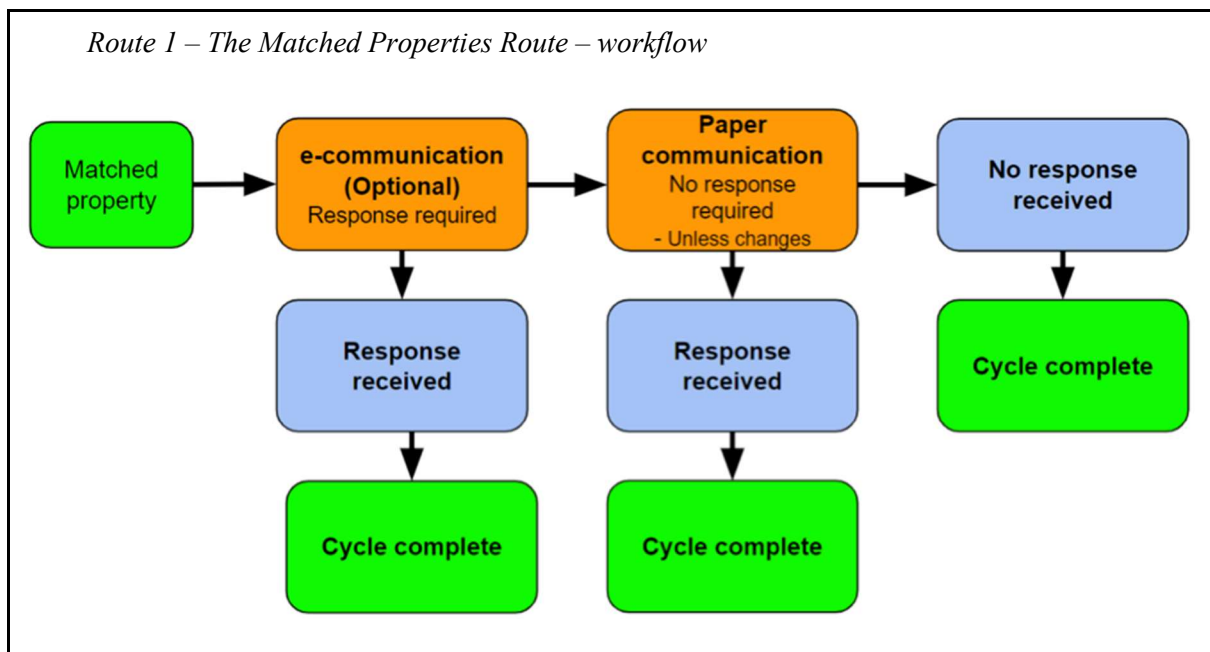
Data step workflow



The ERO will then follow one of two routes for each property. Route 1, the matched properties route, will be used for properties where the data indicates no change in household composition. Route 2, the unmatched properties route, will be used for properties where data matching has highlighted that there may be a change to the information the ERO currently holds for the property. This will allow the canvass process to be streamlined for those households that have not changed since the previous year. It will also enable the ERO to target their resources on properties where updates to the electoral register are more likely to be required. The legislative requirement remains that electors in both Route 1 and Route 2 properties will be contacted during the canvass to give them the opportunity to inform the ERO of any changes as needed.



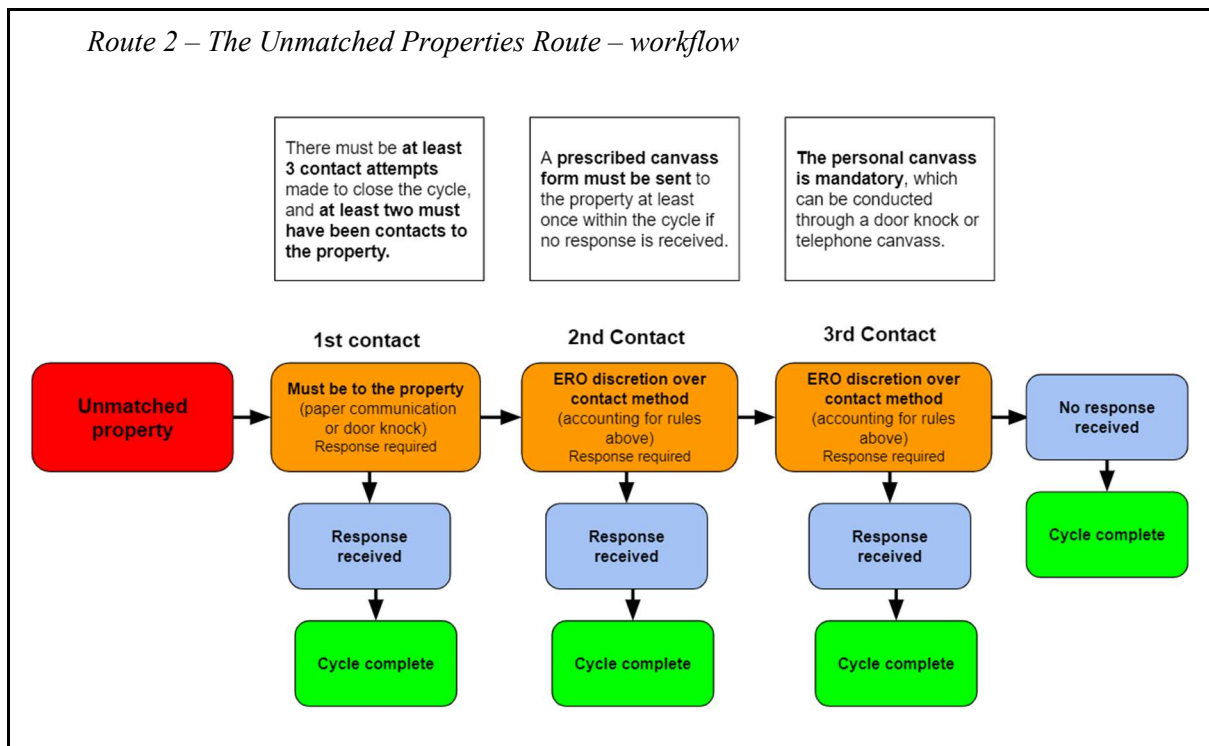
Examples of these property types are care homes and student halls of residence. Should the ERO be unable to successfully obtain information about the property from a 'responsible person' they will need to canvass these property types using the Route 2 process. Properties eligible for Route 3 will be identified at the start of the canvass process, but will not be exempted from the data matching step.



Route 1 is a streamlined process for properties where the data matching step has indicated that additions or deletions are unlikely at the property, i.e. no change is expected. The ERO must send the Route 1 paper communication to the property at

least once, but will not be required to chase it for a response. The communication will clearly indicate that residents must report changes if the electoral information provided is either incorrect or incomplete, and will tell residents how they may respond.

The ERO will be able to send an optional electronic communication to residents who matched as part of the data matching step before the paper communication if they wish. However, the ERO will need to follow this up with the paper communication where no response is received.



The Route 2 process is intended for properties where the results of the data matching step suggests that there may be a change to the information EROs currently hold.

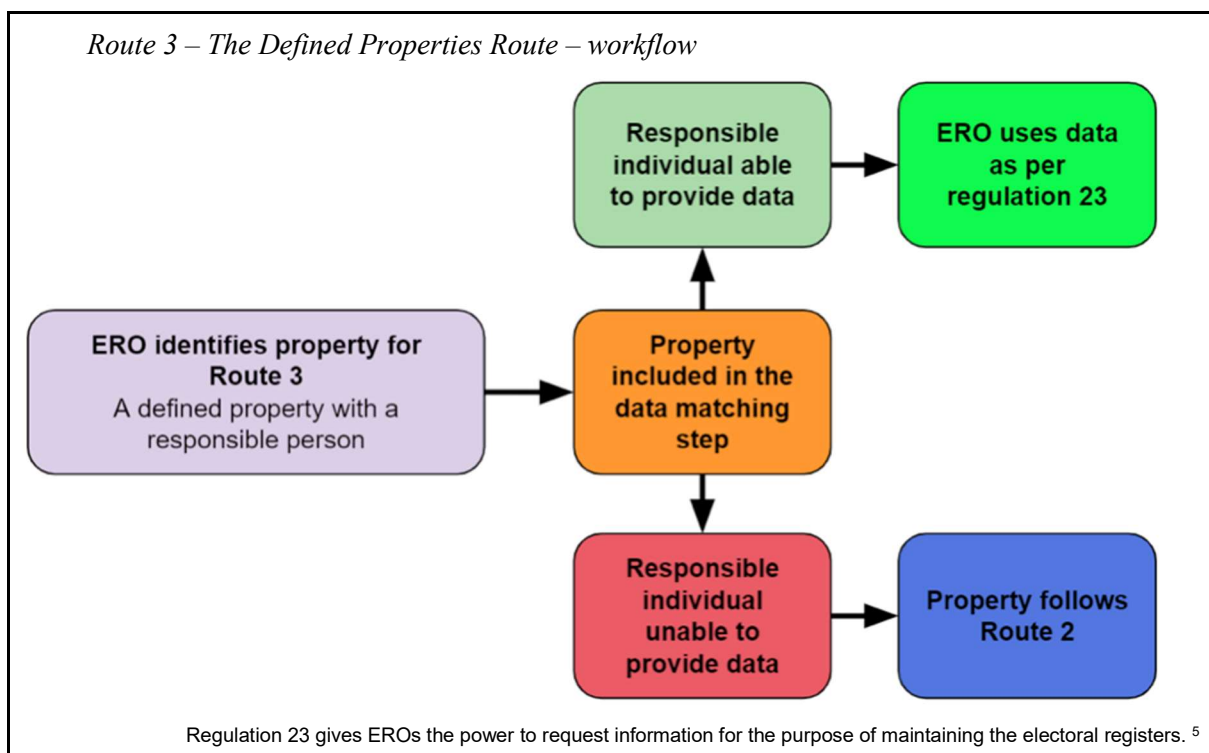
Route 2 will be similar to the current canvass process which is followed for all households. Under the Route 2 cycle, EROs will be required to meet the following minimum requirements:

- A minimum of three contact attempts must be completed during the canvass process if no response has been received to a previous contact attempt.
- The first contact attempt must be a communication with the property (written or household visit), rather than with an individual.
- A further contact of the three potential contacts in the process must also be with the property.
- A personal contact/canvass (telephone call to a matched elector or household visit) is required, if no response has been received, as part of the canvass cycle.

- The prescribed Canvass Form must be sent at some point in the cycle, along with a prepaid, pre-addressed envelope.

The new process will enable the ERO to tailor their approach to the area and the electors/properties involved, including through the increased use of e-communications and telephone calls as a contact method within the chasing cycle. If a response is received at any stage, the chasing cycle will be closed and no further canvass contacts will be required.

A third route will be available for certain property types which cannot be canvassed as effectively using the Route 1 or Route 2 process. The characteristics of these property types mean that the ERO can more effectively and efficiently obtain information on residents using an alternative approach, where they are able to identify a 'responsible person' to provide the required information (name, nationality and whether aged 76 and above) in respect of all residents. Examples of these property types are care homes and student halls of residence.



Properties appropriate to use this route will be outlined in legislation and will have one of the following characteristics. They will be either:

- A property with multiple occupants who do not form a single household; or
- A property in which the ERO has made an attempt to deliver a document in the previous 18 months, but has been unable to do so. (For example, the ERO may have been unable to deliver a document due to issues with postal delivery.)

⁵ <https://www.legislation.gov.uk/ukxi/2001/341/contents/made>

To be canvassed using Route 3, a property must meet one of these two criteria and must also be a property where the ERO reasonably believes that s/he is more likely to obtain information about the occupants of the property from a responsible person.

The following property types are examples of those that will be eligible for the Route 3 process:

- Registered residential care homes
- HMO (Houses of Multiple Occupancy) registered with the Local Authority
- Student accommodation
- Hostels

The draft legislation specifically excludes using Route 3 for an ordinary block of flats. Where EROs are unable to obtain the required information on the eligible residents from the responsible person within a reasonable time period, EROs will be obliged to revert to the Route 2 process (regardless of the outcome of the data matching), as shown above.

Additional Changes

Consistent with the intention that every property will receive a canvass communication, the draft legislation removes the 'single occupancy tick box'. This was introduced in 2016 as part of a set of cost reduction measures ahead of wider canvass reform. Where an elector has indicated that they are the sole occupant of the property, and where no other available information suggests otherwise, the ERO can choose to exempt the property from the next canvass (or the current canvass, if one is already underway). The original thinking was this would reduce canvass costs as it would effectively allow EROs to exclude a proportion of properties from the canvass cycle.

However, in practice many electors were confused by the tick box. We understand that, due to this confusion, there was a high risk of incorrect reporting, resulting in many EROs being unwilling to rely on the tickbox information and continuing to send the Household Enquiry Form. It is also illogical, under the reformed canvass, for a property with one matched elector to be sent no communication whilst a property with two would be. It is therefore removed in the draft legislation and this change will be reflected on the online Register to Vote website once the legislation is in force.

Potential impacts of the reforms

In considering the potential impacts deriving from the canvass reform proposals, we detail what these are and the steps taken to address them below.

- **Age**

Impact – We know that, generally, younger people are more likely to be more confident using, and have access to, internet enabled devices.⁶ There is a risk, therefore, of older electors – who are likely to be less IT literate – becoming ostracised by the modernisation of the annual canvass. For example, being targeted with electronic communications rather than traditional canvassing methods.

Steps taken – The retention of traditional paper communications within the reforms will mitigate the risk to less IT literate individuals. There is no requirement on EROs to utilise the alternative communication methods which will be made available to them under the reforms; they will only do so where they hold the relevant contact details and where they consider it to be the most effective communication method. Moreover, under Route 1, the matched properties route, there will be a mandatory paper communication sent to the property if an electronic communication receives no response or is not used. Under Route 2, the first contact with the property must be either paper based or a household visit. A prescribed canvass form with a prepaid, pre-addressed envelope must be sent to the property at some stage as a mandatory requirement where no response has been received.

Route 3 is expected to result in benefits to the citizen, as it will be used for properties which are not suited to traditional canvassing methods because either there are multiple unrelated occupants who are not well placed to respond on behalf of the property, or because there are particular issues with postal delivery or access to the property. Taking care homes as an example, if the ERO can identify a responsible person, such as the care home manager, they can obtain information about the residents of the care home without needing to contact individual residents. They will then send individuals an Invitation to Register form if they need to be added to the register. This should be a more straightforward and less confusing process for the individual elector, which should also lessen their risk of being missed during the canvass.

Cabinet Office is also working together with the EC, AEA and SAA to ensure EROs have guidance around the use of electronic communications and what

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/455176/gs-15-17-future-ageing-attitudes-new-technology-er08.pdf

steps they should take to mitigate any negative impact. These measures will be supplemented by the continuation of public engagement campaigns, already run by both the EC and Local Authorities, which are designed to educate and inform electors on the electoral registration process.

Impact – With regards to attainers (see Glossary), if the messaging on Route 1 canvass communications or electronic communications is not clear enough, there is a risk this could result in new attainers being missed. Unclear messaging on communications may result in recipients failing to understand the need to notify this change to the ERO. This is because the Route 1 paper communication will not require a response if the household has no changes in composition to report, nor will it be followed up with further contact by an ERO.

Steps taken – The design of communications as part of the reforms will include the development of clear messaging. The responsibility for designing communications lies with the EC and the EC will be responsible for user testing the design and messaging of all new communications for which they are responsible to check for clarity and understanding. The Minister for the Constitution will approve all new prescribed canvass communications designed by the EC.

Once the new canvass processes are in operation, the EC will also design a suite of good practice guidance to support the reformed canvass process. This will include steps that the ERO could take to identify attainers, for example data mining using locally available data sets, such as education data.

- **Disability**

Impacts – Disabled electors may be affected by the proposed alternative canvassing methods. We are aware from discussions with stakeholders, for example, that canvassing in person can be very beneficial for those with physical and mental disabilities. RNIB highlighted, in response to the consultation which closed in November 2018, that the personal contact is an ‘important backstop’ for the process. To replace this with another form of communication, such as a phone call, may negatively impact their engagement.

Steps taken – Under section 20 of the Equality Act 2010, we must show reasonable adjustments have been made for those with disabilities.

It has been suggested that the new proposed electronic communications may, in fact, make the canvassing process more accessible for people, for example, with visual impairments.

We have engaged with the Cabinet Office-led Accessibility of Elections Working Group with no particular concerns or issues being raised. Members of the group include: RNIB, Mencap, Rethink Mental Illness, Scope, United Response, NHS, Royal College of Psychiatrists, SAA, EC, AEA and SOLACE. As part of engaging the Working Group, we have provided the policy for their consideration and used their feedback to refine our proposals. We will continue to engage with the Working Group as future progress is made, including on the design of communications.

With regards to the personal contact element of the canvass, EROs have discretion over choosing in-person (household visit) canvassing or telephone canvassing to fulfil this duty. The use of canvassers has not been abolished. EC Guidance will highlight the need for EROs to take account of the best canvassing method for disabled electors.

- **Gender reassignment**

Impacts – Individuals that have undergone gender reassignment may be subject to greater impact at the data matching step. As a result of their transitioning process, transgender individuals often have their NINOs placed into a protected status within DWP datasets, which the data matching process will not have access to.

This means they are more likely to fail the data matching step with the result that individuals may be sent down Route 2 every time. However, going down Route 2 each year would not result in their disenfranchisement or removal from the electoral register.

Steps taken – Once sent down Route 2, the only impact will be that the elector will receive a more robust canvassing process. We do not, therefore, anticipate the reforms will have a discriminatory effect – either indirectly or directly – against transgender individuals. In contrast, we envisage the new process will equip EROs to offer transgender individuals an enhanced canvass experience in comparison to the current process.

- **Marriage or civil partnership (in employment only)**

Impacts – It is common for some individuals to have married names which are different to their maiden name, meaning there is a greater risk for impact at the data matching step for married individuals. This will occur when the electoral register and data that the ERO is matching against do not hold the same version of the name. Should an ERO not be able to match these individuals using data, the result would be that the elector will be classified as unmatched, which will result in that property being sent down Route 2.

Steps taken – The algorithm to be used for national data matching will provide for the inclusion of both names. If sent down Route 2, we do not anticipate the reforms will discriminate, either indirectly or directly, against those who are married or in a civil partnership. This will not result in their disenfranchisement or removal from the electoral register.

- **Pregnancy and maternity**

We do not anticipate that the reforms will discriminate either indirectly or directly against the protected characteristic listed above.

- **Race**

We do not anticipate that the reforms will discriminate either indirectly or directly against the protected characteristic listed above.

- **Religion or belief**

We do not anticipate that the reforms will discriminate either indirectly or directly against the protected characteristic listed above.

- **Sex**

Other than those impacts detailed under “marriage or civil partnership” we do not anticipate that the reforms will discriminate either indirectly or directly against the protected characteristic listed above.

- **Sexual orientation**

Other than those impacts detailed under “marriage or civil partnership” we do not anticipate that the reforms will discriminate either indirectly or directly against the protected characteristic listed above.

Homeless electors and those registered anonymously

These groups will not be negatively impacted by changes to the canvass process. Both homeless electors and those registered anonymously are covered by different registration processes tailored to their particular circumstances and will, therefore, not be impacted by canvass reform.

Furthermore, Cabinet Office is undertaking work to enhance our understanding of barriers to registration to help more people to register to vote and co-design solutions with the electoral community. This includes homeless electors and frequent movers.

Further information can be found in the report: Democratic Engagement: Respecting, Protecting and Promoting Our Democracy.⁷

⁷ <https://www.gov.uk/government/publications/democratic-engagement-respecting-protecting-and-promoting-our-democracy>

Summary

A common theme running through a number of the identified impacts is of matching during the **data matching step**. This may mean that some people with protected characteristics could be less likely to be sent down the simpler Route 1. This will not, however, have an impact on:

- their ability to be canvassed overall;
- subsequently being added to the register (or registering to vote), or
- their ability to vote.

They will still benefit from the modernised contact methods included within Route 2.

Continued engagement with the key groups outlined in this document will be necessary to ensure necessary reasonable adjustments are undertaken.

The areas where this remains to be undertaken will be identified **during the design and testing of forms and communications by the Electoral Commission**.

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