

# The Electoral Commission's assessment of IER implementation readiness

1.1 This paper sets out the Electoral Commission's assessment of whether sufficient progress has been made with the implementation process for individual electoral registration (IER) for the necessary commencement order now to be signed, bringing the transitional provisions for IER into force for Great Britain from June 2014 (that is, to the current timetable).

1.2 The Commission has shared and discussed versions of this paper in advance with officials from the UK Government's Electoral Registration Transformation (ERT) Programme in order to ensure that this assessment is based on correct and up-to-date information.

1.3 In reaching our assessment of readiness, we have considered the following key areas of the implementation process:

- Funding and resources for Electoral Registration Officers (EROs)
- Performance standards and monitoring
- Training for EROs and their staff
- Guidance, tools and templates for EROs and their staff
- Registration forms
- IER digital system: Confirmation
- IER digital system: Verification
- Online registration portal
- Legislation
- Public awareness

## Significant issues

1.4 It is important to note that we do not believe that any of the issues raised below, either singly or taken together, mean that the implementation of IER should be delayed.

1.5 However, the decision to sign the commencement order must take full account of the fact that there are some crucial elements still to be resolved. There is therefore a clear need for the Government to ensure careful management of the process in the next few months to ensure that delivery is not put at risk.

## Funding and resources

1.6 The Commission has received feedback from EROs and their staff indicating that they are unsure whether the funding to be allocated by the Cabinet Office will be sufficient to meet the challenges they face in their area.

1.7 It is clear that many local electoral administration teams see no prospect of any increased funding from their local authority – indeed, the reverse is the case in many

areas – and therefore see themselves as heavily reliant on the expected funding allocation from the Cabinet Office. At the time of the confirmation dry run, 52% of teams indicated in a survey we conducted that they do not believe they currently have the resources necessary to conduct the analysis of the data that is a vital requirement in order to plan successfully for the introduction of IER. In many cases teams said they would need extra staff to do this work.

1.8 Government officials have told us that the approach to funding allocation has been tested with real cost projections from a small number of electoral administrators and that this exercise did highlight some mis-matched expectations between EROs and the ERT Programme team. We have not, however, seen this analysis.

1.9 At the time of writing, we cannot conclude that this issue presents an insurmountable problem for the successful transition to IER. We know that the ERT Programme team is confident that they will be able to fully fund the costs of the transition, including through ‘top up’ funding in areas where extra resources beyond the initial allocations are clearly still needed.

1.10 However, the distance between the concerns of EROs and their teams and the confidence shown by the ERT Programme team needs to be bridged as matter of urgency. The Government needs to engage more effectively with EROs and their staff on this issue.

1.11 The Government should also make available to EROs full information on their funding allocation, and how it has been arrived at, as soon as possible to allow time for any issues to be resolved.

## IER digital system – verification

1.12 The ERT Programme has delivered, to its stated timetable, the IT infrastructure required to implement a dry run of the confirmation process under IER and that is a significant achievement – particularly as there were many issues to be resolved in order to make this work. However, the Commission has some remaining concerns around the timetable for developing the other significant element of the system - for verifying electors’ personal identifiers under IER. This system will be used on a daily and on-going basis by EROs to check the personal identifiers provided by applicants to join the electoral register against DWP records, before the ERO can take a decision on whether or not to add the name to the register.

1.13 We are aware that some testing of the system has recently taken place. This included an initial test of the matching algorithm to be used for verification which was successful, highlighting only minor tweaks required to the process. We understand that there are further tests on the algorithm to be completed.

1.14 There has also been a test to show that the digital service can process confirmation and verification data simultaneously. This is clearly a crucial issue as the system needs to be able to handle both ongoing verification of records from EROs in England and Wales, who will be using this process from June 2014 onwards and – at the same time – the one off, bulk confirmation of all existing records in Scotland, which will be conducted in autumn 2014 after the Independence

Referendum. Reassuringly, we understand that this test was successful with no issues arising when both types of data were used.

1.15 However, the system for verification has not yet been fully tested, and according to the current plans will not have been fully tested until March 2014. This creates an obvious risk which the Government must manage very closely. We understand that the testing programme will be conducted on a rolling basis between now and next March, but the key risk is that it will not be fully clear until then whether the system is fully robust – and there is little time available to put right any problems between March 2014 and June 2014 when the verification system will start to be used.

1.16 An added risk is that the period between March and June 2014 coincides with elections to the European Parliament and to the majority of local authorities in England (including London and metropolitan boroughs), which will mean that there is next to no capacity in local elections teams to deal with any remedial activity that may be recommended.

1.17 We have not yet seen a detailed plan for the full testing process, although we understand from officials that this will be shared shortly. We would welcome sight of the detailed plan as it may help to mitigate some of our concerns.

1.18 It will be important for this testing to demonstrate the ability of the system to cope with the volume of registrations which are likely to be seen in the period immediately prior to a general election. We have sought assurances on this from the ERT Programme team and they have confirmed that this will form part of the full test next year. We (and EROs) therefore await reassurance on this point.

1.19 It is also important for effective and realistic contingency plans to be put in place in the event that problems with the verification system do arise. These plans need to ensure that the system of electoral registration continues to function effectively even if the digital service does not. We have not yet seen any detailed plans although we are aware that the ERT Programme team are working on them. We would welcome sight of them when they are available.

1.20 It will also be important for the Government to reassure EROs and their teams about its response to the risks we have identified above, which we know are also of concern to them.

## Online registration portal

1.21 A key new element of Individual Electoral Registration will be the ability to make an online application to join the electoral register. We welcome this important step. However, we are concerned that the website which will enable online registration in Great Britain has also not yet been fully tested.

1.22 The current plan indicates that while the user-facing part of the application (that is, in simple terms, what people will see on their screen during the online process) will be developed for the majority of users by the end of October 2013, testing the process that takes place 'behind' the screen, for verifying online applications, will not

be completed until later (likely to be March 2014). As with the verification development work more generally, this is a tight timetable given the intended IER start date in June 2014 and we have not seen a detailed timetable for this testing. If the online service does not work properly in June 2014 it risks serious damage to the credibility of the transition to IER as a whole.

1.23 We also understand that the technical development work required to allow use of the online application system by certain important groups of electors, including for example overseas voters and service voters who would clearly benefit particularly from this new facility, will not be completed until March 2014.

1.24 The ERTTP team have assured us that this development work has been fully scoped and timetabled and that they are confident of delivering the work to time. However, as with verification development, given the work required, its importance to the implementation of IER overall, and the short period of time (coinciding with a significant set of elections) remaining between the conclusion of the test programme and the start of the transition to IER, this remains an important area of concern.

1.25 The Government should ensure that it keeps the testing programme under very close scrutiny and that it keeps all key stakeholders, including EROs and the Commission, fully informed about the progress of the tests in the coming months.

## Forms

1.26 The Commission is required by the IER legislation to design 'Household Enquiry Forms' for EROs to use during the canvass and the 'Application to Register' forms that will be sent to potential electors with invitations to join the register. The legislation requires the Commission to seek Government Ministers' approval before making these forms available for use by EROs.

1.27 The Commission aims to ensure that the forms used by EROs are as accessible and user-friendly as possible from the point of view of the electors who will use them. It is well understood that well-designed forms can significantly reduce confusion for electors, and the associated costs of dealing with that confusion for EROs and their teams.

1.28 At the same time, it is important that the cost of using any new forms is clearly understood, and that any additional costs are justified in terms of the likely benefits of the new designs. In the case of IER, this point is particularly important because the new forms will continue to be used beyond the transition period (and thus beyond the period when EROs can expect help from the Cabinet Office with meeting any additional costs).

1.29 We are conducting detailed user-testing of various form designs, which will inform our view on accessibility. We are also working through with the ERT Programme team and representatives of electoral administration teams the cost implications (and the assumptions underpinning them) which we need to consider in reaching our view on which forms to seek Ministers' agreement to using.

1.30 We need to seek Ministers' agreement to our recommended form designs by the end of November 2013 in order that we can make the final form designs available to EROs in good time for them to prepare for the transition to IER. This work is currently proceeding to a timetable which should allow the size and processing requirements for IER forms to be confirmed by the end of 2013, in line with timescales already communicated to EROs.

1.31 It is important that the Government continues to clarify and share with us full information on the cost implications of different form designs, with a view to reaching agreement on the cost model that underpins this decision, as soon as possible. Without this, decisions on IER form designs will be taken in the absence of key data. If the information on cost modelling can be confirmed as soon as possible, we do not think that this issue critically undermines the current implementation timetable and is not a reason to delay the IER start date.

1.32 However, the current implementation timetable allows very little time for us to reconsider our preferred designs in the event that Ministers do not accept them. The rejection of the Commission's recommended design would be a significant issue for us – it would not be straightforward for us to simply substitute a design we have rejected, given the importance we have consistently attached to ensuring the best achievable levels of accessibility for electors.

## Maximising the impact of public awareness

1.33 Good progress has been made in developing plans for a public awareness campaign (which the Commission will run) to reinforce the work EROs will be doing locally to let people know about the transition to IER. For example, the ERT Programme board agreed the key public awareness messaging in August.

1.34 One of the first waves of this campaign will run in summer 2014. Its aim is to remind people to look out for letters from their ERO, which will be sent out following the initial exercise to match records on the electoral register against DWP records. EROs in England and Wales will write to everyone on the register telling them either that they need take no further action or that they need to take certain steps to remain registered. It is therefore important that the timing of the public awareness campaign coincides with when these letters are being received.

1.35 The ERT Programme team have told us that they expect EROs to send out these letters during July 2014, and that this timing will be finalised as part of the Ministerial decision on signing the commencement order.

1.36 It is important to stress that any change to the timetable we are currently working to could have significant consequences. First, it is important for this activity not to extend into August any more than absolutely necessary, because significant numbers of people will be away from home on holiday and therefore less likely to respond. Second, delivering the write-out in a concentrated period of four weeks will maximise the benefits of a national public awareness campaign as people will see the advertising at a time when they are likely to have received, or be about to receive, communication from their ERO thereby increasing the likelihood of

responding to it. Any decision to change the timing of the 'write out' would need to take full account of its impact on a range of other activities and dependencies:

- when each ERO receives the results of the confirmation exercise for their electoral register (this depends on when the ERO is asked to submit their register, and how long the matching process takes)
- how long it takes between the ERO receiving the confirmation results and residents receiving the ERO's letters
- The timing of the Commission's public awareness campaign which currently assumes a four-week write-out period in July

1.37 In order to achieve maximum impact and achieve best value for money, these various activities must be carefully aligned. We remain committed to working closely with the ERT Programme team and EROs to ensure this; we ask in return for a similar commitment from the Government.

## Other issues

1.38 In a number of other areas we have only minor issues to raise.

1.39 **Performance standards and monitoring:** The Electoral Commission's new standards for EROs have been endorsed by the UK Electoral Advisory Board and were laid before Parliament on 12 September 2013.

1.40 The ERT Programme is also monitoring ERO preparedness through the use of their existing online monitoring portal. However, we would encourage the Government to ensure that there is ongoing, direct engagement with EROs to ensure there is continuing clarity about EROs' views on how preparations (and subsequently implementation) is progressing. This will provide an important check that the information provided through the monitoring portal fully reflects EROs' views at any particular time. The Government should ensure that a structured conversation continues with representative EROs, in particular through the UK Electoral Advisory Board of Regional Returning Officers, and the Electoral Management Board in Scotland.

1.41 **Training:** The ERT Programme team is responsible for ensuring that training for EROs is carried out to a high standard and reflects the Electoral Commission's guidance for EROs. The training, although free of charge, is not compulsory for EROs and their teams.

1.42 There is therefore a risk that some EROs decide not to take advantage of it. The Government and the Commission will need to monitor the impact of this on the preparedness of individual EROs (and be prepared to provide further targeted support where this is identified as necessary).

1.43 **IER Digital System – Confirmation:** The recent dry run of the confirmation process has demonstrated that the IER Digital Service can connect to the systems

used by Electoral Registration Officers, transfer and process the volumes of elector records required for live confirmation, and do so to a workable timescale.

1.44 We have noted that one Scottish Valuation Joint Board (VJB) has not been able to complete the process. We understand that this has been primarily due to concerns around compliance, at the local level, with data security requirements associated with the Digital Service and not any significant issue with the IT system itself. We have been assured by the ERT Programme team that the VJB will complete the dry run via the normal route and receive the match results in late October / early November.

1.45 A small number of authorities with shared services experienced problems in transferring and retrieving their data from the digital service as the system could not initially differentiate between authorities. This issue was not a significant problem for the dry run but the Government should ensure that the ERT Programme team is aware of any plans for authorities to share services since it has the potential to present challenges during live confirmation.

1.46 The planned migration of local authorities from the GCSx system to the new Public Services Network (PSN), which will be in place from 31 March 2014, also has the potential to affect the ability of EROs to connect to the Digital Service. We understand that the ERT Programme team have been in regular contact with the team within Cabinet Office responsible for PSN. We believe it is important that this communication continues. The Programme team needs to remain alert to this as an issue which has the potential to create significant problems during transition.

1.47 The results of the dry run were largely positive and resulted, as anticipated, in a higher match rate than in the confirmation pilots. The patterns in the varied match results also appear the same as those observed in the pilot. While this is positive and in line with our previous assessment of confirmation it does mean that the process continues to work less well for some groups of electors, leading to significantly greater challenges for some EROs with high concentrations of those groups, and for all EROs to the extent that they have some residents who fall into these groups. The Commission will publish a separate analysis of the confirmation dry run results.

1.48 Overall, our survey of EROs and their staff at the time of the confirmation dry run revealed that 93% were confident about the security of the system and 85% were confident about the process of confirmation and its use in the transition to IER.

1.49 **Legislation:** The legislation underpinning IER is on course to be made six months before the planned IER start date. The Commission welcomes the progress that has been made in ensuring that this legislation is in place in sufficient time to allow EROs to have certainty around the requirements and to plan effectively.

1.50 There are a few outstanding pieces of related legislation which have not yet been published. We have received a draft of the Statutory Instrument which would give political parties access to information about confirmed/non-confirmed electors in order to plan canvassing activities in advance of elections in May 2015, and we will be providing comments shortly.

1.51 We understand that one further Statutory Instrument may also be published to allow for data sharing between upper and lower tier local authorities. In our evaluation of the pilot of the confirmation process, the Commission recommended that lower tier authorities should be given access to data held by upper tiers to assist them in local data matching activities. It is important that these plans are clarified as soon as possible..

## Overall assessment

1.52 The Electoral Commission does not believe that any of the issues we have identified require the implementation of IER to be delayed. However, we have concerns in a number of areas and have indicated these above.

1.53 Our recommendations to the Government are summarised below:

1. The information on **funding allocations** should be made available to EROs as soon as possible in order to allow time for any issues to be resolved. There is a need for clear and on-going engagement with EROs and their staff on this issue.
2. The **detailed full testing plans** for both verification and online registration development should be shared with the Commission by the end of October 2013.
3. The **tight timescales for the full testing of these systems**, in March 2014, and the IER start date, in June 2014, should be considered a key risk for the programme. We will expect to see this under continual review in order to avoid any problems having an impact on the delivery of IER.
4. The ERT Programme should **talk and listen to EROs directly** in order to ensure it has a good understanding of their attitudes to preparedness. This could be achieved through conversations with the Electoral Management Board in Scotland and the Regional Returning Officers in England and Wales.
5. The **development of the verification system** needs to ensure it can cope with the demand for registration in the period immediately before a general election. It is also important that EROs have confidence that this issue has been anticipated and acted on.
6. The **current planning dates for the IER write out activity** should not be changed. It is important that this does not take place at a time when many members of the public may be away from home on holiday. In order to achieve maximum impact and best value for money from our public awareness activity and EROs' local engagement with electors there is also a need for clear and co-ordinated activity between the ERT Programme, the Commission and EROs.



7. A final version of the **cost modelling work on form design**, undertaken by ERT Programme officials, should be clarified and shared with the Commission by the end of October 2013.
8. The ERT Programme should ensure it has up to date intelligence on any future **plans for electoral services teams within local authorities to share services** as it has the potential to present challenges during live confirmation.
9. It is important that **any plans allowing for data sharing between upper and lower tier local authorities** are clarified as soon as possible.

1.54 Finally, if the implementation of IER does proceed to the current timetable it is important that the ERT Programme team appreciates that the next phase of work, in the lead up to the start date, will be an even more intensive one. In order to avoid problems arising, as the window before the start date narrows, there will need to continue to be effective and regular communication both within the Programme and between the Programme and other delivery partners.

## Future monitoring of IER transition

1.55 Once the transition to IER is under way the Commission will be monitoring its progress through specific studies on the registers and regular data collection activity. An important outcome from this monitoring work will be our future assessment on whether the end date for the transition to IER should be brought forward from December 2016 to December 2015 – a decision which must be taken by the Government and an Order made by 1 September 2015.

This will need to be based on a clear analysis of what is likely to happen to the registers at the end of the transitional period. It will take into account the number of electors who were 'carried forward' from the old system at the time of the 2015 General Election but who face being removed from the register by December 2015 unless, before then, they are registered under IER. We will analyse the likely impact of this in different parts of Great Britain and will make clear how this could affect both the next scheduled review of parliamentary boundaries, and those eligible to vote at the 2016 elections to the Scottish Parliament, the National Assembly for Wales, local elections in parts of England, for Police and Crime Commissioners in England and Wales, and for the Mayor of London and members of the London Assembly.