

Managing the 2012 canvass in England and Wales (excluding London)

Introduction

1. We are issuing this guidance to assist Electoral Registration Officers (EROs) in England and Wales (excluding London) in the exercise of their duties in relation to the 2012 annual canvass and the publication of the revised register in light of the Secretary of State's direction to move the timing of the annual canvass and to bring forward the publication of the revised register to 16 October 2012.
2. The guidance focuses on how and when additions and deletions to the register should be made in preparation for elections on 15 November 2012. These will include elections for Police and Crime Commissioners across England and Wales (except London) and may also include mayoral elections in some areas.
3. The legislation for the conduct of the PCC elections has not yet been made. This guidance has been issued without prejudice to the ongoing consultation and forthcoming Parliamentary consideration of the draft conduct regulations for the PCC elections.
4. The guidance should be read in conjunction with our general guidance on managing the canvass contained in [Part C of *Managing electoral registration services*](#), our guidance manual for EROs.

The direction

5. Under Section 52(1) of the Representation of the People Act 1983 (RPA 1983), the Secretary of State may direct EROs with respect to the arrangements to be made for carrying out their functions under that Act. An ERO must comply with any general or specific directions which are given by the Secretary of State.
6. Section 8(1) of the Political Parties, Elections and Referendums Act 2000 provides that the Secretary of State's function of giving directions under section 52(1) of the RPA 1983 shall be exercisable only on, and in accordance with, a recommendation of the Electoral Commission.
7. In order to ensure that there is a consistent approach both within and across police areas and to ensure certainty for all involved in the process, we made a recommendation on 21 February 2012 that a direction be given to all EROs in England and Wales (excluding London) to bring forward the annual canvass and

publication of the revised register in 2012. The recommendation can be found on our website at: www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/electoral-registration.

8. The full text of the direction issued on 29 February and the Minister's covering statement can also be found on our website at www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/electoral-registration.

Summary of the implications of the direction

What will stay the same?

- EROs' legal duties in relation to the canvass, including those under Section 9A of the RPA 1983
- the reference date of 15 October in relation to which the canvass is to be conducted
- The processes EROs will follow to conduct the annual canvass
- Performance standards requirements for robust plans to be in place

What will be different?

- The date on which EROs start the canvass - that is, when first contact is made with electors (i.e. as soon as practicable after 2 July; however, EROs may start the canvass before this date).
- The date by which the canvass must be concluded (i.e. 15 October) and the date on which the revised register must be published (i.e. 16 October)
- No monthly notices of alteration are to be published in August, September and October, but there will be monthly notices of alteration published in November and December

We have produced [a timetable](#) that includes the dates on which the register and the notices of alteration in the lead-up to the 15 November polls must be published, as well as the various application deadlines, which depend on whether an application has been made on a rolling registration form or a canvass form.

The 2012 canvass

9. Under the terms of the direction, EROs must start the annual canvass as soon as practicable after 2 July (if not before) and conclude it on 15 October 2012. Moving the start of the canvass forward ensures that EROs will still have sufficient time to comply with their legal duties, including those under Section 9A of the RPA 1983, before concluding the canvass on 15 October.

10. Although the timing of the canvass has changed, the processes to be followed will be the same as in any other year. EROs are still legally required to take all steps that are necessary for the purposes of maintaining the electoral register, including:

- sending more than once to any address the form to be used for the canvass
- making on one or more occasions house-to-house enquiries
- making contact by such other means as the ERO thinks appropriate with persons who do not have an entry in the register
- inspecting any records held by any person which the ERO is permitted to inspect
- providing training to persons under their direction or control in connection with the carrying out of the duty

11. As always, EROs will need to ensure that they have robust plans in place for the annual canvass process.

12. We will continue to monitor the planning EROs are undertaking through our performance standards framework. As in previous years, we will also carry out a data collection exercise after the canvass. We will be providing further details on reporting deadlines and what we will be asking for as part of our performance standards monitoring and data collection exercise in due course.

13. You will be able to find our general planning tools and other resources for the canvass on our website at:

<http://www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/electoral-registration>.

14. EROs will also need to ensure they have adequate resources in place to conduct the 2012 canvass. As part of this, EROs should consider whether they will need any additional resources as a result of the earlier canvass and the coincidence of it with the preparations for the 15 November polls, and ensure that they are adequately supported by their local authorities.¹ In particular, there may be a higher than normal workload in the period leading up to the publication of the election notice of alteration. This is because the notice will include any additions from 'late' canvass forms, i.e. those received too late to be included on the revised register, as well as applications to register made under the 11-day rule, and EROs will also be sending out and receiving postal vote applications during this period.

¹ Under Section 52(4) of the RPA 1983, local authorities are under a legal duty to provide EROs with such staff as are required for carrying out their functions under the Act. Under Section 54(1), local authorities are required to pay any expenses which are properly incurred by the ERO in the performance of their functions under the Act.

Notices of alteration during the 2012 canvass

15. Under Section 13A(3) and (5) of the RPA 1983, EROs may not publish a notice of alteration in the month that the revised register is due to be published or in the preceding two months. Therefore, the last notice of alteration that EROs can publish before the publication of the revised register on 16 October will be on 2 July. No notices of alteration can be published in August, September or October.

Publication of the notice of election and register to be used for completing nomination forms for elections on 15 November

16. We understand that the legislation for the Police and Crime Commissioner elections will provide that the last date for publishing the notice of election for those elections in 2012 is the 28th working day before the poll², which will be 8 October. For mayoral elections, which may also take place on 15 November, the last date for publication of the notice of election is the 25th working day before the poll, which will be 11 October.

17. Subscribers must be on the register of electors that is in force on the last date for publishing the notice of election. As the last date for publishing the notice of election in both cases falls on a date before the publication of the revised register on 16 October, **the 2 July register will be the register that candidates will use for obtaining the elector numbers of their subscribers.**

18. We understand that candidates at the PCC elections will be required to provide on their nomination form the signatures and elector numbers of 100 subscribers from within the police area.³ Candidates at mayoral elections are required to provide the signatures and elector numbers of 30 subscribers from the local authority area. We will provide separate guidance for Police Area Returning Officers, and for Returning Officers at Mayoral elections, on carrying out the necessary checks of subscribers.

Publication of the revised register on 16 October

Canvass forms and rolling registration forms have to be treated differently when it comes to adding and deleting electors from the register. EROs will therefore have to ensure that they have in place a mechanism that will allow them to distinguish an application made on a canvass form from one that has been made on a rolling registration form.

² This is subject to the ongoing consultation and forthcoming Parliamentary consideration of the draft conduct regulations for the PCC elections.

³ This is subject to the ongoing consultation and forthcoming Parliamentary consideration of the draft conduct regulations for the PCC elections.

Changes required through canvass forms up to publication of the revised register

19. Some canvass returns may indicate no change to electors' details. Others may include additions, deletions or a combination of all three.
20. Electors with 'no changes' to their details who have been included in a return that has been received up to the publication of the revised register should be included in the revised register on 16 October (provided the ERO is satisfied, on conclusion of the canvass, that there is no reason to remove the person from the register).
21. Where a canvass form shows new names added, these must be treated as applications for registration. New applications for registration are subject to an objections period of five clear working days before a determination can be made by the ERO. Therefore, the ERO may only include on the 16 October register new names on canvass forms received up to and including 8 October and processed (i.e. determined after the five clear working day objections period) by 16 October.
22. Forms showing new names that are received after 8 October, or which are not determined by 16 October, should be handled in accordance with paragraphs 33 to 34 as appropriate.
23. Deletions are not subject to the clear five working day objection period and may be determined immediately. Therefore, any deletions as a result of names crossed out on canvass forms received and determined by the time the revised register is published can be reflected in the revised register.
24. Therefore, canvass forms received **up to and including 8 October** that show 'no change' names, names added on and names deleted should be treated in the following way:
 - a. 'No change' names should be included on the revised register on 16 October.
 - b. The ERO must wait five clear working days from 8 October before determining any applications made as a result of names being added on canvass forms. Any resulting additions should then be incorporated in the revised register published on 16 October.
 - c. Deletions can be determined up to the publication of the revised register. Any resulting deletions should then be effected on publication of the revised register on 16 October.
25. Canvass forms received **from 9 October to publication of the revised register on 16 October** should be treated as follows:
 - a. 'No change' names should be included on the revised register on 16 October.
 - b. The ERO must wait five clear working days before determining any applications made as a result of names being added on canvass forms. Any resulting additions should then be incorporated in the 8

November notice of alteration (see box under paragraph 33 below), and must not be included in the 16 October revised register.

- c. Deletions can be determined up to the publication of the revised register. Any resulting deletions should then be effected on publication of the revised register on 16 October.

26. Any additions that need to be made as a result of canvass forms that are received **after the publication of the revised register** on 16 October should be effected through the election notice of alteration and dealt with in accordance with paragraph 34 below.

27. Any deletions that need to be made as a result of canvass forms that are received after the publication of the revised register on 16 October should be effected through the relevant notice of alteration in accordance with the boxes under paragraphs 33 and 34. While additions can only be effected on the election notice of alteration, deletions can be effected on either the monthly notice of alteration or the election notice of alteration as appropriate, depending on when they are received and determined.

Changes required through rolling registration forms up to publication of the revised register

28. Section 13A(3), taken together with Section 13A(5), requires that changes that would have been made in the monthly notices of alteration which cannot be published during the canvass period are made in the revised register.

29. Once a rolling registration application has been received, unless it is an application to be registered anonymously,⁴ the ERO must allow five clear working days for objections to be made before making their determination to add a person to the notice of alteration. The determination deadline is 14 calendar days before the day of publication of the notice of alteration.

30. The last update before the publication of the revised register on 16 October would have been the 1 October update, although this will not be published. The 1 October monthly update would have included applications received before the 14 calendar days plus five clear working day objection period cut-off, i.e. those applications received up to 7 September.

31. Therefore, the details of those electors who have applied to register on a rolling registration form up to 7 September should, once a determination has been made, be included in the revised register published on 16 October.

32. Any rolling registration applications received after 7 September cannot be added to the revised register on 16 October. They should instead be added by way of notice of alteration – see boxes under paragraphs 33 and 34 below.

⁴ Anonymous registration applications do not require the five working day objection period before a determination can be made.

33. Deletions are not subject to a five clear working day objection period. Therefore, if an ERO receives notification through another ERO that an elector has moved, proof that an elector has died or a notice from an elector asking to be removed from the register, or if an elector has moved within the local authority area, any resulting deletions would need to have been determined by 17 September (1 October, minus 14 calendar days) to be effected on publication of the revised register on 16 October.

In summary, the **revised register published on 16 October** will need to include:

- names that are included on the revised register as a result of 'no change' returns to the annual canvass
 - any additions made as a result of canvass forms received up to and including 8 October (16 October, minus five clear working day objection period) and determined on or by 16 October
 - the details of those electors who have applied to register through rolling registration up to 7 September (1 October, minus 14 calendar days, minus five clear working day objection period)
 - any deletions required as a result of names crossed out on canvass forms returned and determined up until publication or any deletions required because the ERO is unable to satisfy themselves that an elector was resident at an address on 15 October 2012
 - any deletions as a result of an ERO receiving:
 - (i) notification that an elector has moved
 - (ii) proof that an elector has died
 - (iii) a notice from an elector asking to be removed from the register
- which are determined up to 17 September (1 October, minus 14 calendar days)

Publication of notices of alteration ahead of the 15 November polls

34. Between the publication of the revised register on 16 October and the 15 November polls, EROs will also be required to update the register on two occasions by publishing two notices of alteration: a monthly notice of alteration on 1 November; and an election notice of alteration on 8 November.

1 November monthly notice of alteration

The 1 November notice will need to include:

- all additions resulting from rolling registration applications received by 10 October (and not already included on the revised register) and determined on or by 18 October (1 November, minus 14 calendar days,)
- any deletions as a result of names being crossed out on canvass forms determined after the publication of the revised register and up to and including 18 October (1 November, minus 14 calendar days)
- any deletions determined between 18 September and 18 October (1 November, minus 14 calendar days) as a result of an ERO receiving:
 - (i) notification that an elector has moved
 - (ii) proof that an elector has died
 - (iii) a notice from an elector asking to be removed from the register

35. Applications for registration made on canvass forms that have been received after the 8 October deadline for inclusion in the revised register must not be added to the 1 November monthly notice of alteration. This is because monthly notices of alteration published under Section 13A of the RPA 1983 can, by law, only include the details of those electors who have applied through a rolling registration form. Therefore, any late canvass form additions cannot be added to the register by a monthly update made under Section 13A. They can, however, be added through the pre-election notice of alteration made under Section 13BB, which deals expressly with canvass form additions.

8 November election notice of alteration

The 8 November notice will need to include:

- applications for registration made on rolling registration forms received by 31 October (8 November, minus five working days) and determined on or by the publication of the notice on 8 November, which have not already been included on the revised register or the 1 November notice
- any additions resulting from canvass forms received between 9 and 31 October (8 November, minus five working days) and determined on or by publication of the notice on 8 November
- any deletions as a result of names being crossed out on canvass forms determined between 19 October and publication of the notice on 8 November
- any deletions determined between 19 October and the publication of the notice of alteration on 8 November as a result of an ERO receiving:

- (i) notification that an elector has moved
- (ii) proof that an elector has died
- (iii) a notice from an elector asking to be removed from the register

Dealing with absent vote applications

36. The deadline for new postal vote applications will be 5pm, 31 October.⁵
37. Legislation allows for postal vote applications to be processed if the applicant is not yet registered, provided that the ERO is satisfied that they will be registered. In order to be 'satisfied' that an applicant 'will be registered' an ERO must have determined that a person is entitled to be registered (for example, in circumstances where the ERO has determined that someone is entitled to be registered and is waiting to add them to the register through the next appropriate notice of alteration).
38. Where an application for a postal vote is received before 31 October from a person who is not included on the 16 October register but who has submitted a rolling registration application by 31 October, they can still be granted a postal vote for the 15 November polls provided that the ERO is satisfied that they will be registered in time. Those who made an application to be registered on a canvass form received after the deadline for inclusion on the revised register but on or before 31 October will not be formally registered until publication of the 8 November notice of alteration. Again, such electors can still be granted a postal vote for the 15 November polls provided that the ERO is satisfied that they will be registered and their postal vote application was also received by the deadline. Postal votes can only be issued to electors once their name has been added to the register (i.e. on publication of the revised register or relevant notice).
39. The same applies to proxy applications: although the deadline for appointing a proxy to vote at the 15 November polls will be 5pm on 7 November,⁶ someone who may have applied for a proxy vote by the deadline may not appear on the register until the publication of the election notice of alteration on 8 November, but can still be granted a proxy vote.

Access and supply of the revised register and notices of alteration

40. The revised register will be published during the campaign period for the 15 November polls. Political parties have raised concerns with us about the impact

⁵ This is subject to the ongoing consultation and forthcoming Parliamentary consideration of the draft conduct regulations for the PCC elections.

⁶ This is subject to the ongoing consultation and forthcoming Parliamentary consideration of the draft conduct regulations for the PCC elections.

of the timing of publication on their ability to engage with electors and campaign effectively. It is therefore particularly important that parties and candidates who have requested a copy of the revised register are provided with copies as soon as possible after publication on 16 October. EROs should also ensure that candidates and parties who have made a request are provided with copies of the 1 and 8 November notices of alteration as soon as possible after they have been published.

41. We are continuing discussions with the political parties to determine if there is any other action that can be taken to mitigate the practical issues they will face as the result of the publication of a revised register in the middle of an election period. We will update EROs if any further actions are identified as a result of these discussions.
42. Candidates are entitled, on request, to the registers and notices of alteration, as well as any absent voting lists and updated lists, covering the electoral area in which they are standing.⁷ In the case of the PCC elections, the electoral area will be the whole of the police area,⁸ whereas in case of the mayoral elections, this will be the local authority area. In both cases, a person will become a candidate either:⁹
- on the last day for publication of notice of election if, on or before that day, they are declared by themselves or by others to be a candidate at the election, or
 - otherwise, on the day on which they are declared by themselves or others to be a candidate or when they are nominated as a candidate (whichever is the earlier)
43. Persons who have officially become a candidate by the last day for publication of notice of alteration should be given the 2 July register if they request a copy of the register on the day they have officially become a candidate, or afterwards up to the publication of the revised register. Once the revised register is published on 16 October, they will also be entitled to a copy of the revised register on request.
44. Registered political parties are entitled to copies of the register and any subsequent notices of alteration at any time.
45. Candidates and parties are not limited in the numbers of requests that they can make to the ERO for copies of the register and notices of alteration. As long as a

⁷ For candidates at the PCC elections this is subject to the ongoing consultation and forthcoming Parliamentary consideration of the draft conduct regulations for the PCC elections.

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⁹ For candidates at the PCC elections this is subject to the ongoing consultation and forthcoming Parliamentary consideration of the draft conduct regulations for the PCC elections.

request meets the prescribed requirements, a copy of the register that is in force at the time of application (i.e. the latest revised register and any notices of alteration) must be supplied.

Issue of poll cards

46. Poll cards for the 15 November polls will be sent out on the basis of the revised register. EROs should therefore have early discussions with the Returning Officer (where they are not also the ERO) and their printers to agree how and when the data will be transferred and to make arrangements to ensure that poll cards can be despatched as soon as practicable. We will provide further guidance to Returning Officers on the issue of poll cards as part of our guidance for the November polls.

Communicating with electors

47. EROs should have in place a communications strategy to encourage the early return of canvass forms to help to ensure that those entitled to vote at the 15 November elections are registered to vote at these elections. The key message to electors should be that there will be polls on 15 November and that electors should not wait until 15 October to return their canvass forms - they should return the form as soon as possible to ensure that they are registered in time.
48. EROs could consider issuing press releases and displaying information about the 15 November polls and the need to return canvass forms early. For example, information could be displayed in a number of places within the local authority frequented by electors, such as council offices and local libraries.
49. EROs should also consider whether there are particular groups in their area that will be affected by the timing of the canvass in 2012. In particular, EROs should consider making early contact with university and further education establishments to ensure that they are aware that there will be elections on 15 November and that applications to register must have reached the ERO by 31 October to be effective for the election(s).

Integrity

50. As a requirement to meet performance standard 4 – Maintaining the integrity of registration and absent vote applications, EROs must ensure that their integrity plans outline what steps are to be taken to deal with concerns about specific registration or absent vote applications. [Part E of our guidance manual for EROs](#) contains suggested actions for minimising the risk of fraudulent registrations and guidance on what to do in the event of suspicious applications being received.

Elections during the canvass period

51. The effect of the direction is to bring forward the date of publication of the revised register on conclusion of the canvass in preparation for the elections on 15

November. The elections during the canvass provisions will still apply to any other election that takes place during the canvass period. Guidance to assist EROs in the event of an election during this period is contained [in Part C of our ERO manual](#). EROs should note that a revised register will still need to be published on 16 October even if there is an election between 1 July and 15 October.

Timetable

52. The following timetable summarises the key dates relevant to EROs in the run-up to the 15 November polls.

Date	Event
2 July	Publication of register for completing nomination forms
As soon as reasonably practicable after 2 July (if not before)	Commence canvass
7 September	Last date for receipt of rolling registration applications to be included in the revised register on 16 October
17 September	Last date for determining any non-canvass deletions in time for the 16 October register as a result of an ERO receiving: <ul style="list-style-type: none"> (i) notification that an elector has moved (ii) proof that an elector has died (iii) notice from an elector asking to be removed
8 October	Last date for publication of notice of election for PCC elections on 15 November* <p>Deadline for receipt of canvass form additions to be included in the revised register on 16 October</p>
10 October	Last date for receiving rolling registration applications to be included on the 1 November monthly notice of alteration.
11 October	Last date for publication of notice of election for any mayoral election on 15 November
15 October	End of the canvass
16 October	Determination deadline for canvass additions and deletions

	<p>Deadline for receiving 'no changes' canvass returns for inclusion in the revised register</p> <p>Deadline for receiving canvass deletions for inclusion in the revised register</p> <p>Publication of revised register</p> <p>This will include:</p> <ul style="list-style-type: none"> - names that are included on the revised register as a result of 'no change' returns to the annual canvass - any additions made as a result of canvass forms received up to and including 8 October and determined before the publication of the revised register on 16 October - the details of those electors who have applied to register through rolling registration up to 7 September - any deletions required as a result of names crossed out on canvass forms returned and determined up until publication or any deletions required because the ERO is unable to satisfy themselves that an elector was resident at an address on 15 October 2012 - any deletions as a result of an ERO receiving: <ul style="list-style-type: none"> (i) notification that an elector has moved (ii) proof that an elector has died (iii) a notice from an elector asking to be removed from the register <p>which are determined up to 17 September</p>
18 October	<p>Last date for determining any rolling registration applications to be included in the 1 November monthly notice of alteration.</p> <p>Last date for determining any deletions in time for the 1 November monthly notice of alteration as a result of an ERO receiving:</p> <ul style="list-style-type: none"> (i) notification that an elector has moved (ii) proof that an elector has died (iii) notice from an elector asking to be removed

	Last date for determining any deletions as a result of names being crossed out on canvass forms in time for the 1 November monthly notice of alteration
19 October (12 noon)	Close of nominations*
24 October (12 noon)	Deadline for withdrawal of nominations*
31 October (5pm)	Deadline for new postal vote applications*
31 October	Last day for applying for registration for 15 November polls
1 November	<p>Publication of monthly notice of alteration.</p> <p>This will include:</p> <ul style="list-style-type: none"> - all additions resulting from rolling registration applications received by 10 October (and not already included in the revised register) and determined on or by 18 October - any deletions determined between 18 September and 18 October as a result of an ERO receiving: <ul style="list-style-type: none"> (i) notification that an elector has moved (ii) proof that an elector has died (iii) a notice from an elector asking to be removed from the register - any deletions as a result of names being crossed out on canvass forms determined after the publication of the revised register and up to and including 18 October.
7 November (5pm)	Deadline for new applications to vote by proxy (not postal proxy), except for medical emergencies*
8 November	<p>Publication of election notice of alteration</p> <p>This will include:</p> <ul style="list-style-type: none"> - applications for registration made on rolling registration forms received by 31 October (and not included in the revised register or 1 November notice) and determined on or by the publication of the notice - any additions resulting from canvass forms received between 9 and 31 October and determined on or by the

	<p>publication of the notice</p> <ul style="list-style-type: none"> - any deletions as a result of names being crossed out on canvass forms determined between 19 October and publication of the notice - any deletions determined up to the publication of notice of alteration as a result of an ERO receiving: <ul style="list-style-type: none"> (i) notification that an elector has moved (ii) proof that an elector has died (iii) a notice from an elector asking to be removed from the register
15 November	Polling day

* Events marked with a * are, in relation to the PCC elections, subject to the ongoing consultation and forthcoming Parliamentary consideration of the draft conduct regulations for the PCC elections.