

I refer to the two follow-up queries raised below and apologise for the delay in responding.

Individual Electoral Registration

I have now established that the letter Rob Gibson MSP was referring to in the Committee meeting of 18 December was a reminder issued by his local ERO that he needed to provide specific documentation to allow the ERO to verify his identity. I realise that the identity of an MSP is unlikely to be in doubt, but the facts of the matter are that the first stage in the transition to individual electoral registration was for the name and address of every elector in Scotland to be compared to that held by the Department of Work and Pensions*. This comparison of the names and addresses of 4.5M electors took place in late September 2014 and from 1 October EROs in Scotland were required to write to every registered elector and advise them whether their details had been 'confirmed' or whether they needed to re-register providing their name, date of birth and national insurance number (NINO) that would allow their identity to be verified against the DWP database.

Where the re-registration verification subsequently fails, the next step is known as the 'exceptions process' and requires the elector to provide additional evidence in the form of documentation to allow the ERO to verify the elector's identity independently. Once 'confirmed' or 'verified' against DWP data, or they have had their identity verified by the ERO locally via the exceptions process, the elector is treated as being 'individually registered'.

The whole comparison and identity verification process is essentially prescribed and as such the ERO is obliged to follow the prescribed steps during this transition process that will eventually result in all registered electors having been either confirmed/verified against data held by the DWP, or have had their identity verified locally. When the transition period ends (either December 2015 or December 2016) every elector will be individually registered.

In the meantime, and as part of the transition process, the rules are that any elector who wishes to use their existing absent voting arrangements, or indeed wish to make a new arrangement to vote by post or proxy, may only do so if they are individually registered.

The vast majority of electors are now individually registered and any existing arrangements to vote by post or proxy will remain in place. Likewise, if they do not have an absent vote at present, or wish to alter their absent voting arrangements, that can be achieved without any issues around identity verification. Only those existing electors that are currently not confirmed or verified against DWP data and have not provided documentation that would allow the ERO to verify their identity will not be allowed to vote by post or proxy. All new electors' identities are verified by comparing their name, date of birth and NINO upon application and they are not added to the register until verification against DWP data or by means of checking documentation via the exceptions process has been completed.

The prescribed exceptions process is set out in the ministerial guidance that is attached to this email (document pages 49-65 / pdf file pages 55-71). EROs are

obliged to follow this guidance. In the case of electors living in remote rural areas, I would anticipate that most EROs would be content to allow documents to be verified at the most convenient council area office for the elector concerned and in my particular case, given that the guidance allows photocopies to be submitted in the first instance, I am content to receive scanned and emailed documentation direct from the elector's home. I would only require submission of the original documents to my office where I had doubts over the veracity of the copies submitted by email or post.

*Comparison with local data records is permissible under specific circumstances

Dead-wooding

Dead wooding is the term given to the removal of electors names on conclusion of the canvass where no canvass return has been made for a second successive year and the local ERO has not been able to establish that the electors are resident by checking other records such as the council tax payment records. The practice was a feature of the registration regime that prevailed prior to the transition to individual electoral registration and has been consistently applied by EROs across Scotland for a number of years. The number of dead-wooding deletions was fairly low (in Grampian it was 1,556 against an electorate of 431,110 on publication of the 1 December 2012 revised registers and 1,336 against an electorate of 445,706 on publication of 10 March 2014 revised registers) as EROs implement many deletions in response to canvass returns or reviews carried out under the rolling registration provisions removing electors where the ERO becomes aware that they are no longer resident at a particular address.

I hope the above responses to the follow up queries assist.

I could also provide a little more background to the student issue and my comment that the timing of the referendum was not helpful for students who lived in student accommodation during term time. This difficulty was identified by EROs and the Electoral Management Board once the date of the referendum had been set and work with NUS, education establishments, the Electoral Commission and other stakeholders took place to ensure that students were given clear advice to ensure that they were registered to vote in respect to the address where they were residing as at 2 September 2014, this being the deadline for registering to vote, as they would no longer be registered to vote at their former term time addresses. The messaging to students was consistent across Scotland; not only to ensure that they were registered to vote at their residence as at 2 September, but also to ensure that they could use their vote by making suitable arrangements to vote by post or proxy as many would move into new term time addresses between 2 September and 18 September.

I hope this helps with your report. If other queries arise or you wish to clarify a registration point whilst finalising your report please do not hesitate to contact me.

Kind regards,

Ian

Ian H Milton
Grampian Assessor and Electoral Registration Officer



Cabinet Office

The
Electoral
Commission

Individual Electoral Registration guidance

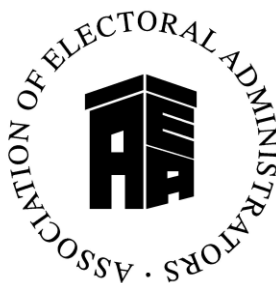
Part 4 – Maintaining the register throughout the year

Published September 2013; Revised December 2014



SAA

*Scottish Assessors Association
Electoral Registration Committee*



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1 Introduction

1.1 This part of the guidance sets out what EROs will need to do in order to maintain the register outside of the canvass period. It follows on from [Part 3: 'The transition to IER in 2014/2015'](#).

1.2 Part 3 sets out the activity that will be taking place following the introduction of Individual Electoral Registration (IER) in June 2014 (September 2014 in Scotland) until the publication of the revised register in December 2014 (2 March 2015 in Scotland), and provides guidance on the processes and practices EROs will be carrying out during that period. There are, however, processes and practices that will continue following publication of the revised register – either in the same way, or with particular differences – and so these are also covered in this Part, so that it is as complete as possible. Where there are differences between how a process is carried out outside of the canvass, those differences are highlighted in this Part.

1.3 The guidance is directed towards the ERO and the duties they carry out. As these duties may, in practice, be carried out by deputies and/or appointed staff, we use the term 'you' throughout this guidance to mean the ERO and whoever is carrying out the ERO's functions on their behalf. You can find explanations of the terminology used in this guidance [in our glossary](#) .

1.4 The guidance is designed to provide an end-to-end guide on managing electoral registration services during the transition to IER.¹

1.5 It has been developed in close consultation with members of the Society of Local Authority Chief Executives (SOLACE), the Association of Electoral Administrators (AEA), the Scottish Assessors Association (SAA), the UK Electoral Advisory Board (EAB) and the Elections, Registration and Referendums Working Group (ERRWG). It reflects the ERO's legal obligations and what we, the AEA, SOLACE, the SAA, the EAB and the ERRWG believe that EROs should expect of their staff in preparing for and delivering a successful transition to IER.

1.6 The Cabinet Office will be providing funding for all costs which arise as a direct result of the implementation of IER. Information on funding can be found on the Cabinet Office's dedicated web portal: <https://ertp.cabinetoffice.gov.uk/>. If you have any questions about funding or would like more information about which costs can be reimbursed, please email: IERfunding@cabinet-office.gsi.gov.uk.

¹ While the legislation says that transition will be complete in 2016, Ministers can lay an Order before the UK Parliament to provide for the transition to be completed by the end of 2015. The UK Government has made it clear that its intent is to complete the transition in 2015.

Part 4: Maintaining the register throughout year

1.7 The guidance is based on the legislation listed in paragraph 1.16 of Part 1 – Preparing for Individual Electoral Registration.

1.8 You will find our performance standards embedded throughout the guidance. The overall objective of the new performance standards framework is to support EROs in planning for and delivering the transition to IER. The new framework has been developed around the key challenges facing EROs in the transition: we want to focus on what EROs will need to do and know in order to effectively deliver the transition; and what information EROs and the Commission will need in order to determine whether these challenges are being met.

1.9 We consulted widely with the electoral community to inform the development of the new framework and it has been endorsed by the UK Electoral Advisory Board (EAB).

1.10 Our guidance, tools and templates, along with support provided by our teams across England, Scotland and Wales, will help you to prepare for and deliver the transition to IER. The tools and templates we will be providing are highlighted in break-out boxes throughout the guidance.




Further information about the Commission's guidance, including the legislation underpinning it, can be found in [Part 1: 'Preparing for Individual Electoral Registration'](#).

Ministerial guidance

1.11 The Minister² has the power to issue guidance on the way that verification results are interpreted, and you must by law have regard to any such guidance. The Minister has issued such guidance and we have incorporated that guidance into this document so that all the guidance you need is available in one place. Unlike the Commission's guidance, the Ministerial guidance does not use the term 'you' to refer to the ERO.

1.12 This guidance is clearly demarcated in this document by the use of a heading at the start of each section, and a coloured outline, as shown in the example below:

 Cabinet Office Ministerial guidance	
! This guidance has been issued by the Minister under paragraph 4(3) of Schedule 5 to the Electoral Registration and Administration Act 2013. EROs must, by law, have regard to this guidance.	

² The Secretary of the State or the Lord President of the Council.

2 Encouraging individuals to register individually throughout the year

2.1 You have a duty under Section 9A of the Representation of the People Act (RPA) 1983 to take all necessary steps to comply with the duty to maintain the electoral register and to ensure, as far as is reasonably practicable, that all those eligible - and no others - are registered in it.

2.2 A proactive approach is required throughout the year and not just during the canvass period in order to maintain accurate and complete registers, ensuring as far as possible that all eligible persons are on the register and that all non-eligible persons are removed.

2.3 As part of your duty to take all necessary steps to maintain the register you should undertake activity throughout the year to identify people who are not registered individually and encourage them to register³. These individuals will fall into one of two categories:

- existing electors not registered individually
- new electors

Reviewing your strategy and plans

2.4 As set out in [Part 1: 'Preparing for IER'](#), you will have developed a public engagement strategy and implementation plan that will set out your approach to identifying and targeting people who are eligible to register but not registered individually.

2.5 Your plan will be most effective if it is a living document which is kept under review and updated so that it remains appropriate and reflects relevant information and data as it becomes available. Your engagement strategy should also outline how you plan to monitor and evaluate the success of your public engagement activity. Keeping your plan under review and evaluating your activity will enable you to understand whether your local challenges are being met and revise your plan accordingly in order to help target your resources where they are most needed.

³ In this guidance, we use the term 'encourage' in an informal sense. It encompasses everything that you can do to encourage an application before or after formally inviting someone to register.



Chapter 5 of [Part 1: 'Preparing for IER'](#) contains guidance on Monitoring and evaluating public engagement activity.

Chapter 6 contains guidance on developing and reviewing your implementation plan.

2.6 You should identify appropriate opportunities for reviewing and updating your strategy and plans throughout the year. These could include the following:

- the strategy may have focused on a particular target audience, and the activity you have implemented to reach them has been successful and so it may be that they become a lower priority later in the transition
- responses from electors are higher or lower than expected, whether on a localised or a general basis
- new data becomes available on the demographics of local residents or on the effectiveness of registration activity
- you have evaluated an activity and it is performing poorly in terms of return on the resources invested
- you have evaluated a pilot of a particular activity that has worked well and that you want to use more widely

The Commission's [performance standards framework for IER](#) sets out the contextual data that will be available to demonstrate the scope and scale of the challenges in your area and any progress made in response to these. The following contextual data is specific to maintaining the register throughout the year:

- total number of [discretionary HEFs](#) ⓘ issued and returned (see also paragraph [2.23](#))
- total number of invitations sent as a consequence of those returned HEFs (for guidance on giving invitations to register, see [Chapter 3: Giving invitations to register](#))
- the number of applications made through the exceptions route (for guidance on the exceptions process, see the Ministerial guidance in [Chapter 5: Verification](#))
- the number of reviews of registration undertaken and total number of electors deleted (for guidance on registration reviews, see [Chapter 10: Reviews, objections and hearings](#)); guidance on deletions is provided in [Chapter 9: Deletions](#))
- the number of amendments made (including name changes) (for guidance on changes to registration see [Chapter 8: Amendments to existing entries](#))
- the number of electors registered through the provision of identifiers
- the number of electors registered through the exceptions process
- the number of electors registered through attestation

- the number of applications to register via online channel


You should use this data to review your implementation plan to ensure it remains appropriate.

Maintaining the accuracy and completeness of the register after publication

2.7 To ensure that the quality of the register is maintained throughout the year it is important that you identify and target any unregistered residents, keep your register under review by processing any amendments to an elector's registration, and take steps to remove electors who are no longer eligible.

Registration activity ahead of the May 2015 polls

2.8 Five months will pass between the publication of the revised register by 1 December 2014 in England and Wales and the scheduled polls in May 2015. EROs should take steps over that period not only as part of their general year-round duty to maintain the register but also to minimise the risk of the register declining in quality before the polls.

2.9 EROs in England and Wales should consider carrying out an audit of their registers in early 2015. This could take the form of sending a letter to every household confirming who is registered at that address, highlighting the forthcoming elections, and requesting that they inform you if the information you have sent them is incorrect or contains any omissions. You may use a [discretionary HEF](#)  for this purpose. You are not legally required to go through the same follow-up processes as during the canvass, but you should consider sending reminder HEFs and using canvassers to make enquiries and encourage a response. Guidance on sending discretionary HEFs is included in paragraphs [2.23](#) to [2.28](#).

2.10 In Scotland, the period between publication and the poll will be shorter as the revised register must be published by 2 March 2015 rather than by 1 December 2014, so there is less likelihood of the quality of the register declining. EROs in Scotland should identify any key groups of electors not registered individually following publication of the register in order to carry out targeted engagement in advance of the May 2015 polls.



We are producing a [guidance note on sending household notification letters](#), as well as a [template household notification letter](#), which EROs can use if they wish.

Sign-posting of application forms and application channels

2.11 As part of your general engagement work you should make sure that potential electors know how to apply to register. There are a number of things you can do to clearly signpost this information

- provide a clear link to the online form on any relevant pages of your website (and the council's, if that is separate) – including, for example, alongside any online system for setting up new council tax accounts – and on the websites of partner organisations wherever electoral registration may be relevant
- wherever you provide such a link, set out the alternative registration channels for those who cannot, or do not wish to, apply online
- liaise with local parties and candidates to disseminate information on how to register and how to obtain application forms
- liaise with other local partners you work with to promote registration to include a link to the online form - www.gov.uk/register-to-vote - in any materials they may distribute to or use to communicate with residents, as well as information about the alternative registration channels for those who cannot, or do not wish to, apply online
- provide a clear link to the online application form at the end of any process you provide for responding to HEF online

Identifying and targeting existing electors not registered individually⁴

2.12 Following publication of the revised register by 1 December 2014 (by 28 February 2015 in Scotland⁵), you should continue to target any existing electors

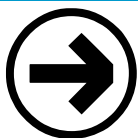
⁴ Legislation has been made establishing a pilot scheme enabling information about entries in electoral registers in specified areas of Great Britain to be compared with information held by the Secretary of State for Transport about individuals' driving records and vehicle registration documents. The purpose of the comparison is to verify existing entries in the electoral register and to identify new electors. Information held by the Secretary of State for Work and Pensions may also be used in the exercise. The Lord President will report on the results of the comparison and the usefulness of the information.

who could not be confirmed and who did not register individually to encourage them to do so. This is so that the register used for the scheduled polls in May 2015 maximises the number of electors being able to vote using their preferred method of voting and so that these electors do not fall off the register once the revised register is published by 1 December 2015.⁶

2.13 As well as the general public awareness campaign that will take place at the start of transition, we will undertake a campaign in the run-up to the end of the transition to reach those who continue to be unregistered individually. We will also run a general public awareness campaign to promote registration ahead of the polls in 2015, and throughout the transition we will be working with partner organisations to encourage registration.

Existing electors who have lost their absent vote

2.14 There will be electors on the register who lost their absent vote entitlement or their proxy appointment on publication of the revised register by 1 December 2014 (2 March 2015 in Scotland⁷) and you are required to write to these electors to notify them of this.



Chapter 10 of [Part 3: 'The transition to IER in 2014/2015'](#) contains guidance on engaging with electors who have lost their absent vote.

2.15 Your public engagement strategy should set out how you will continue to engage with electors who have lost their absent vote to give them an invitation to register individually and to encourage them to re-apply for an absent vote if they wish to continue to vote by post or by proxy. It is important to focus on targeting this group of electors to ensure that (if they wish to) they are able to vote by post at the scheduled polls in 2015. This will minimise the risk of those who have not registered individually wrongly expecting to receive a postal vote, and, in the worst-case scenario, not being able to vote at all because they are unable to vote in person.

⁵ Although the register in Scotland must be published by 28 February 2015, this falls on a Saturday. The legislation provides that where a date falls on a weekend or bank holiday the date is extended until the next working day. Therefore, the register in Scotland must, in practice, be published by Monday, 2 March 2015.

⁶ While the legislation says that transition will be complete in 2016, Ministers can lay an Order before the UK Parliament to provide for the transition to be completed by the end of 2015. The UK Government has made it clear that its intent is to complete the transition in 2015. Therefore, while the legislation provides for the removal of electors that have not provided personal identifiers in 2016, it is our view that EROs should plan on the basis that they will have to be ready for the point of removal to be 2015.

⁷ As set out in paragraph 2.7 of [Part 3](#), the revised register must be published in Scotland by 28 February 2015 but as this is a non-working day, in practice the latest date on which the register may be published is 2 March 2015.

2.16 You will have updated information about this group of electors following publication of the revised register, including the numbers of electors affected and their distribution in your area, and you should use this information to update your strategy and plans accordingly.

Identifying and targeting new electors⁸

2.17 There are several tools available to you to support you in your duty to maintain the register by identifying new electors, which are set out in the following section.

Encouraging applications before giving an invitation to register

2.18 While you have a duty to give an invitation to register as soon as reasonably practicable and, in any event, within 28 calendar days of the date that you conclude that a person may be entitled to be registered, you could informally encourage an application to register to be made before giving a formal invitation to register. For example, if you have an e-mail address for the potential elector, you could send them a link to the online application form and information about the other available channels for registration. If the local authority has a contact centre you could arrange for information about how to register to be given by phone or email to people notifying the authority about a change of address. You should ensure that your processes still enable you to identify and invite other potential new electors who may be resident at the same address.

2.19 You may want to consider trialling one or more of these approaches to understand how effective it is in practice in encouraging registration and reducing the number of electors you formally invite to register.

2.20 If an application is made before the end of the 28-day period in which an invitation to register must be given, the requirement to give a formal invitation no longer applies. Encouraging an application to be made – in particular, an online application – has the potential, therefore, to reduce your costs. If you decide to informally encourage an application, you should do this as soon as possible once you have identified the person to allow time for the person to make an application before you give them a formal invitation.

⁸ Legislation has been made establishing a pilot scheme enabling information about entries in electoral registers in specified areas of Great Britain to be compared with information held by the Secretary of State for Transport about individuals' driving records and vehicle registration documents. The purpose of the comparison is to verify existing entries in the electoral register and to identify new electors. Information held by the Secretary of State for Work and Pensions may also be used in the exercise. The Lord President will report on the results of the comparison and the usefulness of the information.

2.21 You can also take steps to encourage an application to be made once you have given a formal invitation to register. This could also help to reduce costs by reducing the number of electors with whom you are required to undertake follow-up activity due to non-response to an invitation. However, there may be circumstances, such as immediately before an election, where you should not wait to formally invite people to register.

2.22 You should maintain a clear audit trail of potential new eligible electors that you have identified and the steps you have taken to encourage them to make an application. Your EMS system may provide the facility to do this. This will help to ensure that you comply with your duty to give an invitation to register where no application has been made within the 28-day period.

Household enquiry forms (HEFs)

2.23 You have the option to send a discretionary HEF ⓘ to households outside of the canvass period where you receive information through a third party or as part of your routine checks that indicates that new eligible electors may have moved in (or that existing electors may no longer be resident), but you do not have a name and address that would enable you to formally invite them to register to vote. You may, for example, have identified one or more potential electors through local record checks, but have reason to believe that there may be further potential electors at that address who do not appear on local records, and in this case could consider sending a HEF to the property.

2.24 A HEF used outside the canvass period is not technically a canvass form. You are not required to use the canvass HEF approved by the Lord President of the Council and made available by the Commission, and you can amend the HEF to reflect the specific circumstances under which you are sending a HEF to the property. You should ensure when you use a discretionary HEF that you do not refer to it as a canvass form, and that it does not contain information that is only applicable to the canvass, i.e. the requirement for the information required by the form to be provided to the ERO, and the associated penalty for failure to provide the information. The requirement to pre-print information (where practicable) on a HEF that applies during the canvass does not apply to a discretionary HEF.

2.25 You are not legally required to go through the same follow-up or personal visit processes as during the canvass, but you should consider sending reminder HEFs and you should in any case carry out house-to-house, postal or other enquiries as are necessary in order to produce a complete and accurate register of electors and to meet your Section 9A duties.



For guidance on sending out HEFs and following up non-responses during the annual canvass, see [Part 3: 'The transition to IER in 2014/2015'](#).

2.26 Where you have decided to send a HEF to a property, you should consider how to encourage applications to be made promptly to reduce the need to give a formal invitation to register to any new person whose name is included on the form. This could be done by emphasising the availability of the online form, and telephone or in-person channels (if you offer these services), as well as by giving information on how paper application forms could be obtained, or providing blank application forms with the HEF. You should ensure that, if you are encouraging applications to be made at the same time as sending a HEF, you explain clearly the need to respond to the HEF as well as making an application, so that you can be confident that you have identified all potential new electors at the address.

2.27 In some instances it may be appropriate to include paper application forms with your HEF – for example, ahead of a registration deadline – so as to expedite the registration process for those requiring a paper form.

2.28 When emphasising the availability of registration channels you should aim to reflect the messages and language that the Commission has developed for use in [public engagement resources](#), such as our leaflet on ‘What is IER and how to register’.

Inspecting other records

2.29 To meet your duties to take the necessary steps to maintain the register, you should check data sources that are available to you to identify potential electors who are not registered. Your plan should include details of the records to be checked and a schedule of when those checks are to be carried out.

2.30 By law, for the purposes of meeting your registration duties, you can inspect and make copies of records kept in whatever form by:

- the council which appointed you
- any registrar of births and deaths
- any person, including a company or organisation, providing services to, or authorised to exercise any function of, the council. This includes those that are providing ‘outsourced’ services under any finance agreement

2.31 Additionally, SI 2014/1234⁹ enables data sharing for certain purposes relating to electoral registration in two-tier authorities in England.

2.32 The legislation enables an ERO appointed by a district council where there is a two-tier authority, to inspect, for the purpose of the registration officer’s registration duties and also make copies of information contained in records held by the relevant county council (in addition to those held by the district council). Registration officers are required by Section 9A of the Representation of the

⁹ The Representation of the People (England and Wales) (Amendment) Regulations 2014 (<http://www.legislation.gov.uk/ukSI/2014/1234/contents/made>).

People Act 1983 to take all steps necessary for the purpose of complying with their duty to maintain the register. One of the steps listed in Section 9A is inspecting records that the registration officer is permitted by law to inspect. This duty applies throughout the year and is not confined to the canvass period. Evidence of inspection should be kept as proof of the steps taken to satisfy Section 9A.

2.33 In addition, the legislation allows the council which appointed the registration officer, and where that is a district council the relevant county council as well, to disclose to the registration officer, for certain registration purposes, information contained in records held by the council. There are three purposes:

- to verify information relating to a person who is registered in a register maintained by the officer or who is named in an application for registration
- to ascertain the names and addresses of people who are not registered but who are entitled to be registered
- to identify those people who are registered but who are not entitled to be registered

Any such disclosure can only be made in accordance with a written agreement between the council and the registration officer regulating the processing of the information, including its transfer, storage, destruction and security.

2.34 You should also bear in mind the requirements of the Data Protection Act 1998 when accessing local records. The Information Commissioner's Office has advised that, as EROs have a legal duty to maintain the register and as part of this they have the power to inspect local authority records, local authorities are under a legal duty to disclose the information requested by the ERO, and the Data Protection Act 'will not act as a barrier' to the disclosure of the required information. You can find the Information Commissioner's Office full advice in [Appendix 2](#).

2.35 As set out in [Part 1: 'Preparing for IER'](#), your implementation plan should set out how you will work with local partners to access local data to support this process, and you should keep this plan under review to ensure it remains effective.

2.36 Using data for this purpose is different to the use of local data-matching to support the verification of the identity of applicants. There may therefore be some local or other data sources available to you that you can use for the purpose of maintaining the register, but which are not considered to be appropriate for local data-matching purposes.

2.37 While records may assist you in identifying who does not have an entry in the register, any potential new elector who is identified in this way must always make a successful application before they can be added to the register.

2.38 The following records may help you identify new electors:

- **Council tax:** Council tax records may alert you to the fact that new residents have moved into a property. It may be the case, however, that the person named in the council tax record is not eligible to register to vote, for example if they own the property but do not reside there. Also, council tax records will not necessarily tell you whether there are more people resident at the address whom you may need to invite to register individually. Council tax records can also be used to provide evidence that a property is empty or that, while occupied, it is not used as someone's main residence, which may affect their entitlement to register. Access to the records should include access to any supplementary notes, as this detail may assist with clarifying who is resident at a property.
- **Council tax reduction (formerly council tax benefit):** Records relating to those residents claiming council tax reduction may alert you to who else is living at their property.
- **Housing:** The records of arm's-length management organisations and housing records where the council maintains the housing stock directly can be inspected for the details of tenants.
- **Housing benefit:** As housing benefits are paid directly to an individual, housing benefit records can be helpful in identifying new electors.
- **Register of households in multiple occupation (HMOs):** You should consider inspecting these records and consequently making contact with landlords or managing agents for information about their tenants; although it may be difficult for them to provide all the necessary information to facilitate registration, they are likely to be in a position to provide names.
- **Records held by the registrar of births, deaths and marriages:** Information received from the registrar about marriages and civil partnerships could potentially indicate that there is an additional resident at a property. It may also alert you to a change of name of an existing elector.
- **Lists of residential and care homes / shelters / hostels:** Social services (or equivalent department) will be able to provide lists of residential and care homes, as well as shelters and hostels. The wardens of these types of accommodation may be helpful in providing information on changes of residents.
- **Lists of disabled people receiving council assistance:** Social services (or equivalent department) may be able to provide details of certain disabled people living at home, such as those who are blind, deaf, etc., which should also enable you to tailor the service you provide to such individuals.
- **Land Registry/Registers of Scotland:** These sources can be used to find information on property ownership and sales of property, which can provide a useful source of information on changes, particularly as the name of the buyer is given.
- **Planning and building control:** Inspection of building control records and liaising with house builders can give an indication of the state of progress of new developments and whether they are ready for residential occupation.

Instead of liaising with planning and building control directly, you may be able to gain the necessary information from the Valuation Office, or the local Assessor in Scotland.

- **List of new British citizens held by the registrar:** The registrar who is responsible for holding citizenship ceremonies will have information on who has become a British citizen. Information on applying to register to vote could be given to the registrar to include in the pack they make available to those receiving British citizenship. Depending on their previous/other nationality, someone who has become a British citizen may already be on the electoral register, but information should be provided in any case to ensure that they have the correct franchise.

2.39 You separately have the power to require information from a person who is not the elector. You can use this power where it is required for purposes of maintaining the register. This means that you can, for example, use it to require those in charge of multiple occupation establishments or care homes to provide you with information on residents.

Personal visits



[Part 2: 'The registration framework'](#) contains guidance on the recruitment and training of staff both for the implementation of IER and 'business as usual'.

2.40 To meet your section 9A duties you are required to undertake house-to-house enquiries throughout the year and you should have the necessary staff in place to carry out these visits. These staff can be used not only for making enquiries and to follow up with people who have not responded to an invitation to register, but also to:

- identify any changes to properties, such as new buildings or alterations to existing properties to help you to update your property database
- provide help to electors who need additional support or assistance to complete make an application to register or to respond to your enquiries

Working with partners

2.41 Internal and external partners may be able to identify residents who are entitled to be registered, but do not have an entry in the register. Council departments or organisations that are in regular contact with residents, for example, those delivering meals on wheels or providing domestic care, could be approached to encourage the completion of applications.

2.42 If the partners you are working with will be, or are likely to be, assisting electors when completing their application, you should ensure that they are aware of data protection principles before handling any personal data.



[Part 2: 'The registration framework'](#) contains guidance on the handling and security of personal data.

Direct contact from residents

2.43 You may receive the names and addresses of potential electors from direct contact with residents or others, which can be used to invite them to register. These may be people who are contacting you because they:

- have moved into or within your area
- are newly eligible, for example if they have gained British citizenship
- are responding to public awareness or engagement activity

2.44 You may also receive information on potential new electors as a result of information given to your canvassers at the doorstep, through intercoms or from neighbours. Information gathered from a third party, such as neighbours, should be treated with caution as it may not be as reliable as information gathered directly from the applicant. Information obtained from a third party should be cross-checked where possible in order to validate it. If this is not possible, a record should be kept of the source of the information and the steps that were taken to obtain it.

2.45 While you have a duty to give an invitation to register as soon as reasonably practicable and, in any event, within 28 calendar days of the date that you conclude that a person may be entitled to be registered, you may wish to send the invitation to register later in the 28-day window if you think you can encourage an application to be made without the need for a formal invitation to be given. You should ensure that you keep records for the purpose of having a clear audit trail of the steps that you have taken as part of the invitation to register process.

2.46 Examples of steps you could take before giving an invitation to register include:

- encouraging residents who have called you to apply to register at that point (assuming you allow telephone registration)
- training your canvassers to encourage applications on the doorstep or tell residents about the various registration channels and encourage them to register before the requirement for issuing a formal invitation to register is triggered

3 Giving invitations to register

3.1 Once you have identified the name and address of a person who is not registered and you have reason to believe that they may be eligible, you must invite them to make an application to register as soon as reasonably practicable and, in any event, within 28 calendar days of the date that you conclude that they may be entitled to be registered. Where the expiry of the 28 days falls on a weekend or bank holiday, the period is extended to the next working day. You should have a mechanism for keeping a record of the date on which you conclude that a person may be entitled to be registered, which then starts the 28-day period. Your EMS system may facilitate this.

3.2 As set out in paragraph 2.20, you could informally encourage an application to register to be made before (and after) giving a formal invitation to register. If you have no information that would enable you to informally encourage an application or do not plan to make a visit for this purpose, you should not delay giving the invitation.

3.3 You should not send an invitation to register to a person if, in the meantime, you receive an application for registration from them, or you identify that they are not eligible to register to vote. To avoid giving an invitation to register to a person who has already made an application to register you should have a process in place to identify whether such an application has been made before you give an invitation.

3.4 You should bear in mind that an application may have been made online or, at your discretion, by telephone or in person and you should ensure that as part of your working practices you have in place a process to check for applications received through any channel before you issue an invitation to register. Your EMS system may be able to automate this process, although you should also bear in mind that the name on an application may not match exactly the name of the person to whom you have given an invitation and some manual checking of applications received against invitations issued may be required. You could do this by cross-checking the details on the application against your list of potential new electors that you have identified and to whom you have sent an invitation to register. On paper applications, this process could be facilitated by adding a barcode to the paper application form you are including alongside your invitation to register.

Invitations to existing electors who are not individually registered



Guidance on giving invitations to register to existing electors is provided in [Part 3: 'The transition to IER in 2014/2015'](#).

Content and delivery mechanisms

Form of the invitation to register

3.5 You must use the invitation to register approved by the Lord President of the council. The invitation to register must be given to a named individual, in its own separate envelope.

3.6 Electors with existing absent vote arrangements can only retain their entitlement to vote by post or proxy (as applicable) if they are registered individually in time to be included in the revised register published by 1 December 2014 (by 2 March 2015 in Scotland). Those with existing proxy votes will additionally only retain their proxy appointment if their proxy is also registered individually in that revised register.



[Chapter 2 and 3 of Part 5: 'Absent voting'](#) contains guidance on the eligibility criteria for postal and proxy voting following the introduction of IER.

Application form

3.7 Whenever you give an invitation to register you must include with it a paper application form. You must use the application form approved by the Lord President of the Council and made available to you by the Commission and must, if practicable, pre-print on the application form the full name and address of the person being invited.



The invitations to register and application forms that you must use are available on the Cabinet Office's web portal: <https://ertp.cabinetoffice.gov.uk/>.

Outgoing envelope

3.8 You should address the envelope to the named person at the address you have identified. You must print the following information on the envelope:

- a direction requesting that the envelope is not re-directed if it is incorrectly addressed
- a direction requesting that any other person who receives the envelope and who is resident at the address inform you if the addressee is not resident there
- your contact details

Reply envelope

3.9 You must also include with the invitation to register a pre-addressed, pre-paid reply envelope in which the form can be returned.

The Commission has produced suggested content for envelopes, which includes all required information, and accompanying guidance. These are available on the Cabinet Office's web portal: <https://ertp.cabinetoffice.gov.uk/>.

Delivery mechanisms

3.10 An invitation to register cannot be given verbally, such as by telephone, or by e-mail although you can informally encourage applications to register by any suitable means before or after you give an invitation (see paragraph [2.18](#)).

3.11 In deciding how to give an invitation to register you should bear in mind that, before you can require a person to make an application to register, you will need to establish that at least one of the invitations has been received by the elector, and you should therefore consider what processes and audit trails to put in place to achieve this in practice. For example, you may want to ensure that at least one of the invitations to register is hand-delivered. You should ensure that you consider the delivery methods that you will use for invitations to register in the development of your engagement strategy and reflect this in your implementation plan.

3.12 As set out earlier in this chapter, you should take steps where possible to informally encourage applications from people to whom you have given an invitation, as this may be more effective (and potentially more cost-effective) than sending further invitations and application forms. Your engagement strategy should identify how and where you will use canvassers in order to encourage responses to invitations to register at as early a point in the process as possible, to minimise the amount of follow-up work you need to undertake.

Following up non-responses

'Reminder' invitations

3.13 Once you have given a person an invitation to register, you are required to take certain steps to encourage them to make an application to register if they have not yet done so. As with the first invitation, you should have a process in place to identify whether an application has been made by any available channel before you give a further invitation to register. You may, if you wish, visit the address where you delivered the first invitation at any time to encourage the person to make an application.

3.14 None of the steps set out below apply if you are satisfied that the person in question is not entitled to be registered at the address where the invitation was given, or that the person is registered at a different address.

3.15 If you have given an invitation to register and the person does not make an application to register within a reasonable period of time, you must give them a second invitation.

3.16 If no application is made within a reasonable period of time following the second invitation you must give a third invitation. The requirements set out under 'Content and delivery mechanisms' above apply equally to the second and third invitations. In practice, the second and third invitations are reminders to the person to make an application to register. The Commission will therefore make available variants of the invitation to register to be used for the second and third invitation.

3.17 While a 'reasonable' period of time is not defined in legislation, in our view this should be no longer than 28 days and may in some circumstances be shorter (for example where you are approaching the conclusion of the canvass or where there is an election due to take place).

Making at least one visit

3.18 If you have given a third invitation and no application to register has been made, you are required to law to make at least one visit to the address for the purpose of encouraging an application to be made, if you have not already done so.

3.19 You can choose to make a visit at any time in the process, for example at the same time as delivering any of the invitations. You may therefore have met this requirement before the end of the period for making an application following the third invitation. You must, however, have made a visit specifically for the purpose of encouraging registration. In our view, this means a visit where you have attempted to make contact personally with the person you are inviting.

3.20 If you have made a visit only for the purpose of leaving a form at the address and no attempt was made to contact the person being invited, this would not in our view satisfy the requirement. If, however, on such a visit the person making the visit spoke to the person being invited and encouraged them to make an application, the requirement to have made a visit will have been satisfied. As with all stages of this process, you should ensure that you keep records for the purpose of having a clear audit trail of the steps that you have taken as part of the invitation to register process. This will also help to ensure that, where you are considering requiring a person to make an application (see paragraph 3.24), you are able to establish that the prerequisites for making such a requirement have been met.

3.21 You should in any case consider making a further visit if this is likely to result in an application being made.

3.22 If no application is made in response to the third invitation and you have made at least one visit to the address, you can move to the next stage of requiring the person to make a new application to register by giving them notice in writing of the requirement.

Requirement to register

3.23 If you have not received an application after a reasonable time after the third invitation to register has been given, and you have visited the address at least once to encourage an application, you may require a person to submit an application to register by a specified date. This must be done on a written notice.

3.24 Before you can require a person to make an application for registration you must establish that the person:

- **has received at least one invitation to register** - ideally, you should obtain confirmation from the named person, such as written confirmation of receipt or a written statement from a canvasser that they have given an invitation to the individual in person. Confirmation by email or telephone would also be acceptable and, if the telephone call is not recorded, you should make a written note of the conversation
- **has received a personal visit to encourage an application** – a person must already have received a personal visit as part of the invitation to register follow-up processes
- **has been informed of how to make an application for registration** - your invitation to register will already have informed the person how they can make an application to register
- **has been informed that you may impose a civil penalty if you require them to make an application and they fail to do so** – your invitation to register will already have included an explanation of the circumstances where a civil penalty may be imposed, and the amount

- **is resident at the address at which the invitations to register were given** - you should consider if there is any checking of local records or other process that you can undertake to confirm that the person is resident

3.25 Your record keeping and processes for issuing invitations to register and carrying out house-to-house enquiries should be designed to ensure that you can be satisfied that all of those requirements have been established.

3.26 The notice requiring a person to make an application for registration must state:

- the date by which the person must make an application for registration
- that, if the person does not make an application by that date, you may impose a civil penalty
- the amount of the civil penalty (£80) and the rate of interest payable if the penalty is not paid on time
- that, if the person is not entitled to be registered, they must inform you of that fact before the date by which the application must be made and explain why they are not entitled, and that in such a case they are not required to make an application for registration
- that, if the person is registered at another address, they must inform you of that fact before the date by which the application must be made and provide you with that address, and that in such a case they are not required to make an application for registration
- that the person may make other representations as to why they should not be required to make an application to register by the date by which the application must be made, or why a civil penalty should not be imposed if they do not do so



The Commission has produced a template 'requirement to register notice' as part of the IER letters available on the Cabinet Office's web portal at <https://ertp.cabinetoffice.gov.uk/>

3.27 The date by which the named individual must make an application is not prescribed. When deciding on a date by which the person must make an application, you should allow sufficient time for them to receive the notice, digest the information and submit an application. As with the recommended maximum period that would be considered 'reasonable' in relation to invitations to register, in most cases, 28 days would provide sufficient time for the person to receive the notice, digest the information and submit an application (but see also paragraph [3.32](#) below).

3.28 You must include an application for registration with the notice and the full name and address of the individual should be pre-printed on the application. You should also include a pre-paid and pre-printed return envelope alongside the

application, as well as information on how to register online, or by telephone or in person (if you have decided to offer those services).

3.29 You must cancel a requirement to register if either as a result of direct communications from the individual or from other information:

- you are satisfied that the person is not entitled to be registered at the address at which you gave the invitations to register
- you are satisfied that the person is registered at a different address
- you discover that any of the requirements for sending a notice requiring a person to register had not been met

3.30 You have discretion to cancel a requirement to make an application for registration if you consider it appropriate to do so. For example, you may consider it appropriate to cancel the requirement notice if a person is ill and, as a result, will be unable to make a declaration of truth for the foreseeable future.

3.31 However, the discretion to cancel a notice should only be used in very limited and special circumstances, and a decision to cancel should be taken on a case-by-case basis, with each case considered on its merits. You should maintain a clear audit trail of the decision and the reason(s) for it.

3.32 There may be individual cases where you receive information that a person who is subject to a requirement to register notice is unable to make an application within the specified timeframes, such as because they are away from their address for an extended period. However, this in itself should not trigger a cancellation of the requirement to register process. In such circumstances, you should instead consider extending the time allowed for the potential elector to submit their application.

3.33 Whenever you decide to cancel the requirement to register, you must give the person concerned notice in writing of your decision.

Civil penalty

3.34 You may impose a civil penalty on those who were issued a requirement to register but who fail to make an application to register by the date you stated in the requirement to register notice. You should have in place a process for issuing civil penalties that includes making arrangements for collecting and accounting for any money collected. This should cover how you will ensure that any money collected is returned to the Cabinet Office to be paid into the Consolidated Fund.

3.35 You may want to seek advice on carrying out the civil penalty process and collecting penalties, from other departments within the council who have experience of undertaking similar processes, including the council's legal department.

3.36 If you decide to impose a civil penalty on a person you must give a civil penalty notice to that person informing them that a penalty has been imposed and specifying the reasons for it. The notice must explain that the person must:

- make an application to register within 28 calendar days from the date of the notice , or
- pay the full amount of the civil penalty within 28 calendar days from the date of the notice, or
- request a review of the decision to impose the civil penalty within 14 calendar days from the date of the notice

3.37 The notice must also state:

- the amount of the civil penalty (£80)
- how to make payment
- the rate of interest payable if the penalty is not paid on time (which is the daily rate of interest equivalent to 8% per year from the date that the civil penalty must be paid)
- that making an application to register by the date stated on the notice will prevent the person being liable to pay the civil penalty

3.38 The 14-calendar day period during which a person may ask you to review your decision to impose a civil penalty starts on the date of the notice. Therefore, you should ensure that the civil penalty notice is issued on the day that it is dated.

3.39 Any request to review your decision to impose a civil penalty must be made in writing (which includes via email).

3.40 Where you receive such a request for a review within 14 calendar days of the notice you must send an acknowledgement notice to the individual within 7 calendar days of receiving the request to inform them that:

- they have up to 14 calendar days from the date of the acknowledgement notice to:
 - make representations explaining why they have not made an application to register or why the civil penalty should be cancelled, and
 - submit evidence in support of such representations

3.41 The acknowledgement notice must also explain how any representations may be made and any evidence submitted. It should be dated and sent on the same day, as the date of the acknowledgement determines the start of the 14-day period for requesting a review.

3.42 If a person makes a request for a review within the 14 calendar day time period you must carry out a review of your decision to impose a civil penalty irrespective of whether the person has submitted any representations or evidence

to you. If they have submitted any representations or evidence, you must consider them.

3.43 Your review must not start before the earlier of:

- the end of the 14th calendar day after the date of the acknowledgment notice, or
- the receipt of any representations or evidence

3.44 This means that if you receive any representations or evidence before the end of the 14-day period, you may commence your review then. If not, you must wait until the end of the 14-day period before you can start your review process.

3.45 There may be circumstances where you receive representations or evidence after you have already started the review, or indeed after you have completed it but before the penalty has been paid. In those cases, you should still take the representations and evidence into account and review your grounds for issuing the civil penalty notice in light of these.

3.46 In the absence of any representations or evidence, you should check whether there are any grounds for cancelling the civil penalty notice.

3.47 You must cancel a civil penalty notice if either as a result of direct communications from the individual or from other information:

- you are satisfied that the person is not entitled to be registered at the address at which you gave the invitations to register
- you are satisfied that the person is registered at a different address
- you discover that any of the requirements for sending a notice requiring a person to register had not been met

3.48 You have discretion to cancel a civil penalty notice if you consider it appropriate to do so. For example, a person may have been away for the vast majority of the period between the requirement to register and the civil penalty notice. Depending on the circumstances, it may be appropriate to cancel the civil penalty and set a new deadline for receiving an application.

3.49 A person may also not have responded to your invitations and requirement to register on the grounds of a disability or an inability to read or write. Again, in these circumstances, you should consider cancelling the civil penalty and offer any assistance which may be necessary to enable the person to make an application.

3.50 Also, a person may not have responded to your invitation to register because they had concerns that their safety could be compromised by providing you with personal information. In those circumstances, you should assess whether they would qualify for registering as an anonymous elector and, where

appropriate, cancel the civil penalty and explain the anonymous registration process to them.

3.51 On completion of your review you must either:

- uphold the decision to issue a civil penalty, or
- cancel the civil penalty

3.52 You must then inform the person in writing of the outcome of the review. If you uphold the decision to impose a civil penalty, the notice confirming the outcome of the review must state:

- that they may appeal against that decision to the First-tier Tribunal, and how to make such an appeal, and
- the date by which the civil penalty must be paid.

Timescale for payment of the civil penalty

3.53 Where no review has been requested or appeal has been made to the First-tier Tribunal, payment must be made within 28 calendar days of the date of the civil penalty notice.

3.54 Where the person has requested a review or made an appeal to the First-tier Tribunal, the civil penalty must also be paid within 28 calendar days, but the 28-day period ceases to run while the review or appeal is being considered and re-starts if the review or appeal is unsuccessful.

3.55 When calculating the 28-day period, the day on which any review or appeal is requested is excluded and the day on which the review or appeal concludes is included.

3.56 You should liaise with your council's legal department regarding the process for any debt recovery should a person fail to pay the penalty within the required timeframe. Where a payment is overdue, interest is accrued at a daily rate equivalent to 8% per year. In cases where a person refuses to pay, an application can be made to the county court for recovering the debt and any accrued interest.

Appeals to the First-tier Tribunal

3.57 If a person has made a request for a review of your decision to impose a civil penalty and is unsuccessful, the final course of appeal open to them is to appeal to the First-tier Tribunal. The Tribunal may either uphold your decision to impose a civil penalty or cancel the penalty. During the time the appeal process takes place, the requirement to pay the civil penalty is suspended (as described in paragraph [3.55](#) above).

3.58 Should the person make an appeal, you will need to prepare information and evidence to help the Tribunal establish whether all the legal requirements leading to the issuing of the civil penalty were met. You should include copies of

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all the documents that you used (including your invitations and notices), and information and evidence about:

- why you decided to send an invitation to register (e.g. which record was checked that led you to believe that there was a person resident who was eligible for registration, or whether you gained this information through correspondence with the elector themselves or through a third party)
- when and how you gave the three invitations to register and when you visited the property, including any responses you received
- the dates on which you gave the requirement to register and issued the civil penalty notice
- if the person requested a review or otherwise made any representations or submitted any evidence to you, the representation, evidence and conclusion of your review

3.59 The chamber of the First-tier Tribunal responsible for hearing appeals against civil penalty notices is the General Regulatory Chamber:

General Regulatory Chamber
HMCTS
PO Box 9300
Leicester, LE1 8DJ

Telephone: 0300 123 4504
Fax: 0870 739 4114

Email: grc@hmcts.gsi.gov.uk



The Commission has produced template notices and letters to use when undertaking the civil penalty process. These are available on the Cabinet Office's web portal at <https://ertp.cabinetoffice.gov.uk/>

4 Applications

4.1 As set out in Chapter 4 of [Part 2: 'Registration framework'](#), one of the aspects of entitlement to register is that any statutory requirements in relation to the application are met.

Contents of the application

4.2 An ordinary application for registration (excluding special category electors, which are covered in [Chapter 7: Special category electors](#)) must contain the following information:

- The applicant's full name, and any previous name by which they have been known within 12 months before the date of the application.
- The address where the applicant is resident on the date of the application and in respect of which they are applying to be registered.
- Any address where the applicant has ceased to reside in the 12 months prior to the date of the application and, where that address is not in the UK, an indication of whether that person was registered as an overseas elector during this period.
- An indication of whether the applicant is resident at any other address, including any address where the applicant is currently registered and claims to be entitled to remain registered.
- The applicant's date of birth or, if they are unable to provide this information, the reason why they are not able to do so and a statement as to whether the applicant is under 18 years old or over 70 years old.
- The applicant's National Insurance Number or, if they are not able to provide this information, the reason they are not able to do so.
- The applicant's nationality or nationalities or, if they are not able to provide this information, the reason why they are not able to do so.
- An indication of whether the applicant requests their name to be omitted from the edited register.
- A declaration that the contents of the application are true (in practice, on the paper form, this will require a signature or at least a mark on the form that shows that they have made the declaration)
- The date of the application.

4.3 If any of the above information is not provided, an ordinary application for registration cannot be processed. You should follow up any missing information with the applicant. The process for doing so is explained further at paragraph [4.18](#).

4.4 The IER digital service will allow anyone over 16 to submit an application, and you may also receive an application on the paper form from those not old

enough to be an attainer. If you receive such an application, you should contact the applicant and explain that you cannot process their application at this time, but that you will keep their details on file and invite them to register once they become eligible.

4.5 To be able to contact these individuals at the right time you should keep a record of their name and address, and any other contact information, and the date on which they would become eligible for registration based on their age. You will also need to put in place a mechanism to alert you to send an invitation to register at the appropriate time.



Chapter 5 of [Part 2: 'Registration framework'](#) sets out the different channels through which applications can be made.

Application form

4.6 You must use the form approved by the Lord President of the Council and made available by the Commission when sending out paper application forms to residents and you are not allowed to alter it. The form does, however, include space for you to add your contact details, local authority information, unique reference, security code and a barcode.



The form is available [on the](#) Cabinet Office's web portal: <https://ertp.cabinetoffice.gov.uk/>.

When is an application deemed to be made?

4.7 The relevant date of an application for registration sent to you on a paper form is the date the application is deemed to be made, i.e. when the form is completed by the applicant, which can be identified by the date given on the form (or, where you receive an incomplete application, the date on which you have received all of the required information).

4.8 Applications made online are deemed to be made on the date the IER digital service records the application as being made, and that electronic date stamp will be included on the information sent to you with the application.

4.9 Telephone and in-person applications are deemed to be made at the time all of the information required for the application has been received and recorded in writing, and the applicant has declared the truth of the information provided in the application.

Acknowledging applications

4.10 You are legally required to acknowledge any applications that have been sent to you that are **not** in response to an invitation to register to a new elector. This means you must send acknowledgements when you receive an application from the following:

- an existing unconfirmed elector who has been sent an invitation to register
- a new elector to whom you have not sent an invitation to register (i.e. an unsolicited application)

4.11 The purpose of the acknowledgement is to establish a connection between the applicant and the address.

4.12 You will need to have a process in place that enables you to identify whether an application you have received has been made in response to an invitation to register to a new elector. Your EMS system may be able to automate this process, although you should bear in mind that the name on an application may not match exactly the name of the person to whom you have given an invitation and some manual checking of applications received against invitations issued may be required.

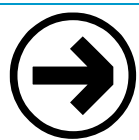
4.13 You could do this by cross-checking the details on the application against your list of potential new electors that you have identified and to whom you have sent an invitation to register. On paper applications, this process could be facilitated by adding a barcode to the paper application form you are including alongside your invitation to register.

4.14 The acknowledgement must be made in writing to the address where the applicant has applied to be registered and must be in the form approved by the Lord President of the Council and made available by the Commission.

4.15 The acknowledgement will ask any person who receives the acknowledgement to inform you if the addressee is not resident at the address.

4.16 You have the discretion to send an acknowledgement to a new applicant who applies in response to an invitation, and such acknowledgements may be sent electronically or in hard copy. These applicants must also be sent a confirmation notice if their application is successful (see paragraph [6.10](#)). However, given that you have already established the named person's residence at that address and sent them an invitation to register, you should not include with

this type of acknowledgment a reference to informing you if the addressee is not resident at the address.



The Commission has produced a template 'acknowledgement of application not made in response to an ITR' as part of the IER letters available on the Cabinet Office's web portal at <https://ertp.cabinetoffice.gov.uk/>.

Incomplete applications

4.17 Online applications cannot be submitted unless the elector has supplied all of the required information or given a reason as to why this information cannot be provided. Applications made on a paper form, by telephone or in person (if you have decided to offer telephone and/or in-person applications) may have some information missing, particularly any application made other than on an official form.

4.18 If **any** required part of the application as set out in paragraph [4.2](#) is missing or incomplete, it will not constitute a complete application, and you will need to contact the applicant and request the information that is missing. You can require additional evidence where you consider it necessary to verify identify, or to determine an applicant's entitlement to register.

4.19 In some cases, a person may not be able to give you their date of birth, National Insurance Number or nationality. If a person is unable to state their date of birth, National Insurance Number or nationality they must, as part of the application, provide a statement of the reasons why they are unable to provide this information.

4.20 Where this statement is not included, you cannot assume that the person cannot provide this information and you should contact the applicant and ask them to supply the missing information. The application will be on hold until the required information has been returned. The missing information does not need to be provided on a new application form – it can be provided over the phone, via e-mail or in person. You must, however, keep a written record of the missing information that has been provided, and ensure that the information is transferred to the written application.

4.21 There is an exceptions process that you will need to follow to verify the applicant's identity where the required information has not been provided but a statement of reasons is provided (and their identity could not be verified using local data matching). This is covered in detail in [Chapter 5: Verification](#), below. If the applicant is unable to state their nationality, you can require the applicant to provide evidence about their immigration status in order to determine whether they are a qualifying Commonwealth citizen. This includes, if applicable, the applicant's biometric immigration document issued in the UK. Further guidance

on this process and contact details are available on the Cabinet Office's web portal: <https://ertp.cabinetoffice.gov.uk/>.

4.22 You should keep a record of any incomplete applications or applications where you have requested further information and keep track of these, so that you can follow up with the applicant if they do not respond to your initial request for information. You should inform the applicant by which date you expect them to provide you with the information requested. Where you do not receive a response within a reasonable time (the 28-day maximum, but potentially earlier if there is an election), and you consider that the person is resident and may be eligible to register, you must give them an invitation to register.

Listing applications and objections

4.23 You are required to maintain three separate lists of:

1	Applications received
2	Any objections made prior to the person being added to the register
3	Any objections made after the person has been added to the register

4.24 As soon as any application or objection is received, the appropriate details must be recorded as follows:

- Details of the application (the name and nationality of the applicant, and the address given as their qualifying address) must be entered in the list of applications, unless the application is accompanied by an application for anonymous registration.
- Details of the objection (the name and qualifying address of the objector, plus details of the application (as above) or register entry) must be entered in the relevant list of objections.
- In addition, where an objection is received before a person has been entered on the register, the particulars of the objection must be entered in the list of applications.

4.25 Entries on the lists of applications and objections are open for inspection until the applications or objections have been determined, i.e. until you have made the final decision as to whether an entry or alteration to the register is required. These lists are usually produced by software packages or, alternatively, they could be handwritten or typed manually.

Leave to remain checks

4.26 If you are in any doubt as to whether an applicant or elector is legally resident, you should request checks of a person's immigration status against Home Office records. Further guidance on this process and contact details are available on the Cabinet Office's web portal: <https://ertp.cabinetoffice.gov.uk/>.

Retention of documents

4.27 At a minimum, you must retain any documents supplied as part of an application (or, where an original has been supplied and returned, a copy of any such document) until the application has been determined. This includes the application form itself and the information that you receive as a result of an online application, or one made by telephone or in person (if you allow applications to be made in this way).

4.28 You may keep these documents or information after your determination of the application. The DPA does not set out any specific maximum periods for retention of personal data, but it says that personal data processed for any purpose shall not be kept for longer than is necessary for that purpose. You will therefore need to consider whether it would be appropriate for you to hold on to the information. Copies of documents (either scanned or in hard copy) could be retained for a specific period to take account of the possibility of a legal challenge and any analysis the police may need to carry out if there are any integrity concerns.

4.29 Unless there is a legal challenge or investigation you should not retain any documents relating to a particular elector for more than 12 months after they have been removed from the register, as this is the usual time limit for any prosecutions.



The Information Commissioner's Office provides general advice on the retention of personal data:

http://www.ico.org.uk/for_organisations/data_protection/the_guide/information_standards/principle_5

4.30 Where you decide to keep any application-related documents beyond the point of determination, you must redact the applicant's National Insurance Number from any documentation you have, including the application form, by no later than the day that would be 13 months from the date the application was determined. You will need to ensure that you have an appropriate mechanism for carrying out such redactions, which may include using special redaction software. The council's Data Protection Officer should be able to give you advice on redaction of personal information. You will also need to keep a record of the day on which you have made your determination on an application, so that you can accurately calculate the 13-month period. Your EMS system may facilitate this.


4.31 National Insurance Numbers will only be available on paper applications, or where someone has applied in person or by telephone; for applications made online, you will not receive the National Insurance Number.

4.32 The requirement to redact the applicant's National Insurance Number does not apply where this documentation is required for the purpose of any civil or criminal investigations or proceedings.

4.33 While not a legal requirement, you should consider following a similar approach for redacting dates of birth.

Requirement to notify the previous ERO

4.34 An application to register must contain any address where the applicant has ceased to reside in the 12 months prior to the date of the application and, where that address is not in the UK, an indication of whether that person was registered as an overseas elector during this period.

4.35 You have a duty to notify the relevant ERO where you have been given a previous address in the UK. The process will be automated through a link between your EMS system and the [IER digital service](#)  and the notification triggered once you update your register.

4.36 However, a person may be entitled to be registered at more than one address (e.g. students). If on their application they claim that they are entitled to be registered at more than one address, you should contact the elector and the other ERO to establish the details of their residence.



Guidance on a person's entitlement to be registered at more than one address is provided in Chapter 4 of [Part 2: 'Registration framework'](#).

Identifying suspicious registration applications

4.37 You are uniquely placed to identify incidents and patterns of activity that might indicate electoral fraud your local area. Applications for registration do not have to be taken at face value – you have the option of taking any application to a hearing (see also [Chapter 10: Reviews, objections and hearings](#)). You can also require additional evidence where you consider it necessary to verify identity, or to determine an applicant's entitlement to register.

4.38 Although there are no definitive signs of possible electoral registration fraud, and each specific case will be different, you should ensure that you have mechanisms in place to monitor indicators of possible fraud. These indicators and any trigger points for further action will need to be informed by:

- the context of your local area
- whether they are consistent or inconsistent with any other data available to you
- the specific circumstances surrounding an application or applications

4.39 The following could, depending on the context, be indicators of possible fraud:

- Any number of registration application forms completed in the same hand.
- A large number of registration applications submitted in respect of a single property, particularly where the number of forms does not reflect the type or size of the property (e.g. 10 applications for a small flat).
- Registration applications which do not appear to match the usual pattern of previous or existing registrations at a particular property.
- Unusual number of applications failing verification (for example, if all applications from a property or neighbouring properties fail verification)
- Large numbers of attestations in any particular area
- Information from the IER digital service regarding National Insurance Numbers and IP addresses. It is expected that you will be provided with the following information:
 - whether the National Insurance Number supplied with an application has been given in any other applications in the previous 12 months and in which local authority areas (the latter will be run on a trial basis first)
 - for online applications, how many times applications have been received in the same period from the same IP address.

4.40 You should put in place mechanisms that will help you to identify suspicious registration applications:

- Training for canvassers and office staff on what to look out for
- Review returns data regularly to identify patterns
- Consider how best to share data about patterns of registration applications with local political parties and elected representatives, to improve transparency and confidence, and so that they can help identify any specific register entries which might be suspicious.



To meet the challenge of maintaining the integrity of registration applications, as set out in [Performance standard 2: Deliver your implementation plan](#), you will need to ensure that you have in place processes to identify any patterns of activity that might indicate potential integrity problems, including what steps are to be taken to deal with any such problems.

The following will allow you to demonstrate that you are meeting the challenge:

- Setting and documenting the steps that are to be taken to deal with concerns about registration applications
- Setting and documenting how the approach to preventing and detecting electoral fraud is communicated to voters, candidates and other local contacts



For information on how to liaise with the police, see 'Your local police Single Point Of Contact (SPOC)' in Chapter 3 of [Part 2: 'Registration framework'](#).

5 Verification

Verification of identity

5.1 As set out in Chapter 4 of [Part 2: 'Registration framework'](#), one of the aspects of entitlement to register is that the application is made by someone who appears to be the person named on the application. Under IER any person making a new application for registration must therefore provide personal identifiers for the purpose of establishing whether they are the person named in the application, and the results of this process must be taken into account in determining the application. The information provided is used to verify their identity against DWP records, and may also be matched against local data sources if the applicant's identity cannot be verified using DWP records.



Paragraph [5.4](#) contains guidance on verifying the identity of applications where the applicant states that they cannot provide the information required by the application (date of birth and/or National Insurance Number).



Cabinet Office

Ministerial guidance

! This guidance has been issued by the Minister under article 7(9) of the Electoral Registration and Administration Act 2013 (Transitional Provisions) Order 2013.

EROs must, by law, have regard to this guidance.

5. Interpretation of verification DWP data match results

The relevant legislative references on which this guidance is based are set out in Appendix 1.

5.1 How to interpret DWP match results

5.1.1 The database against which applications to register are matched is the DWP Customer Information System (CIS) database. CIS is an amalgamated data source, consisting of information received from internal DWP systems, as well as other government sources, such as HMRC. As a result CIS is seen within DWP as being the main data source of customer information.

5.1.2 In order to perform the data match, DWP have developed an algorithm which matches the applicants personal identifiers (full name, National Insurance Number [NINo], and date of birth[DOB]) sent to them via the IER Digital Service, against the CIS database.

5.1.3 The DWP matching algorithm works like a filter, the stages of which can be broadly summarised as:

- The identifiers contained in the personal record are standardised by DWP to make them more consistent with the DWP dataset (e.g. removal of spaces and hyphens from NINos)
- The personal record is compared to the records in the DWP dataset, following a sequence of matching operations:
 1. Is there a record in the DWP dataset with a NINo that matches the NINo provided? If not, the personal record is flagged as No Match and no further matches are attempted.
 2. Does the DWP record identified at step 1 have a DOB that matches the DOB provided? If not, the personal record is flagged as No Match and a reduced set of subsequent matches are attempted – see

below.

3. Do the names on the DWP record identified at step 1 match the names provided? A series of name matches are carried out until the best match is obtained. These are described in table 1. Where the NINo has matched but not the DOB, a reduced set of name matches are attempted. These are described in table 2.
4. The level of match obtained is reported back to the IER Digital Service which assigns a score to the results, indicating either success or failure.
5. The match results plus the score assigned to them are passed back to the EMS where they are displayed to the ERO.

5.1.4 The end result is a series of match statements that describe the levels at which a record has 'passed' or 'failed' against a series of matching criteria.

Identity Pass/Fail rating

Table 1: A positive identity match will be assigned to records that match NINo against DoB at any one of the following levels:

National Insurance Number	+	Date of Birth	+	Last name	+	First name	+	Middle name
	+		+	Last name	+	First name	+	Middle initials
	+		+	Last name	+	First three letters of first name	+	Middle name
	+		+	Last name	+	First three letters of First name	+	Middle initials
	+		+	Last name	+	First name		
	+		+	Last name reversed	with	First name		
	+		+	Last name	+	Soundex ¹⁰ match on first name	+	Middle name
	+		+	Last name	+	Soundex match on first name	+	Middle initials
	+		+	Last name	+	First three letters of first name		
	+		+	Last name	+	Soundex		

¹⁰ A soundex match is a match made using a phonetic algorithm for indexing names by sound, as pronounced in English, so that they can be matched despite minor differences in spelling. The soundex algorithm is English biased and is less useful for languages other than English.

					match on first name		
	+	+	Last name	+	First name initial	+	Middle name
	+	+	Last name	+	Middle name		
	+	+	Last name	+	First name initial	+	Middle initials
	+	+	Last name	+	Middle initials		
	+	+	Soundex match on last name	+	First name	+	Middle name
	+	+	Soundex match on last name	+	First name	+	Middle initials
	+	+	Last name	+	First name initial		
	+	+	Soundex match on last name	+	First name	Or	First three letters of first name

Table 2: Where the date of birth does not match against the National Insurance Number, it will still be possible for the applicant to be matched but against a more limited selection of criteria:

National Insurance Number	+	Last name	+	First name	+	Middle name
	+	Last name	+	First name		
	+	Last name	+	Middle name		
	+	First name	+	Middle name		
	+	Last name				
	+	First name				
	+	Middle name				

5.2 Action to take following the return of matched data

5.2.1 When the ERO receives their matched data returned from DWP, they will need to assess whether the applicant's identity has been established according to the pass/fail rating supplied.

5.2.2 The ERO is not limited to assessing whether the identity of the applicant has

been established strictly according to the match rating; however, where the ERO makes an assessment which does not accord with the match rating (the ERO may have local data which contradicts the DWP match for example) the ERO should record the reasons why they have reached their assessment and the evidence this was based upon.

Pass matches

5.2.3 Where an applicant's identity has been given a pass rating by DWP, this indicates to the ERO that they can have confidence that the applicant is the person they claim to be on their application.

5.2.4 The ERO will also need to establish that the applicant fulfils their other eligibility criteria (age, nationality, residence) and may have already done so before receiving the match results from DWP.

Fail matches

5.2.5 Where an applicant's identity has been given a fail rating by DWP, this indicates that it has not been possible to establish that person's identity.

5.2.6 On receipt of a fail match rating, the ERO should contact the applicant to check whether the details submitted on their application are correct. The ERO should ask the applicant to supply their full application information (name, address, date of birth, National Insurance number (EROs will only hold National Insurance Number where the application was made by a paper form) to be checked against the original application. The ERO should not supply information given in the application to the applicant. The ERO may check application information in any way, including by telephone.

5.2.7 If the applicant has made an error on their application, the ERO should resubmit their personal identifiers for a further check and write to the applicant to tell them that a change has been made to their application based on additional information supplied by the applicant. The ERO should not include any personal identifier information (NINo and DoB) in the letter.

5.2.8 Where it cannot be established that an error has been made on the application, the ERO may wish to use suitable local data sources (see local data matching guidance in section 6) to establish the identity of the applicant. Where local data matching is successful, it is not necessary to resubmit the application for matching against DWP data.

5.2.9 If no error has been made on the application, the ERO should write to the applicant informing them that it has not been possible to verify their identity and requesting them to supply documentary proof of their identity (the exceptions process – section 9).

5.3 Next steps

5.3.1 Applicants whose identity can be verified through either the DWP match or local data matching should be added to the register of electors at the next available update, providing the eligibility criteria have been met and the applicant has been positively determined. A confirmation letter should be sent if appropriate.

5.3.2 Applicants whose identity cannot be verified by either the DWP check or by local data matching should be directed to the exceptions process (see section 9 on the exceptions process).

Local data matching for verification purposes

5.2 Local data matching enables you to use local data sets (such as council tax or housing benefit) to help you to verify the identity of applicants in combination with the results of the DWP data match. Local data matching must not be undertaken until DWP match results have been received and considered. There are limited exceptions to this (details are included in Part 11 of the Ministerial Guidance).



Cabinet Office

Ministerial guidance

! This guidance has been issued by the Minister under article 7(9) of the Electoral Registration and Administration Act 2013 (Transitional Provisions) Order 2013.

EROs must, by law, have regard to this guidance.

6 Using local data to establish identity with pass and fail matches

The relevant legislative references on which this guidance is based are set out in Appendix 1.

6.1 Deciding whether to use local data

6.1.1 Local data can be defined as data which used by an ERO on a local level to establish the identity of applicants. This could either be data held by the local authority which appointed the ERO, their County Council (where this applies) or another organisation which the ERO has contacted directly to require the supply of data that the ERO deems necessary for the purpose of maintaining their electoral registers.

6.1.2 In addition to considering the suitability of available data sets for this work, EROs will also need to evaluate the potential costs and benefits of local data matching; because the results of this evaluation will vary guidance can only be broadly descriptive of local data matching rather than a definite approach that all EROs must take.

6.1.3 While the ERO has a legal duty under section 9A of the Representation of the People Act 1983, this duty does not make the use of local data for verification matching compulsory; the ERO may decide that the local data which is available does not verify the identity of the applicant or that directing the applicant to the exceptions process is a more effective means of establishing identity.

6.1.4 It is possible, however, to define the range of approaches that are available to the ERO and what qualities make data suitable for local data matching (section 2)

6.1.5 Before using local data to inform their determination, EROs must ask the following questions:

- What sources of local data are available to me?
- Is the data record I intend to use accurate? (section 3.5)
- What benefit will I gain from using local data matching for a particular task?
- What resources will I need to be able to use local data effectively?
- What are the costs involved in developing/using local data matching capacity?
- Can I achieve beneficial results in sufficient time to meet the needs of the task?

6.1.6 Regulations 23, 35, and 35A of the People Regulations 2001 (for both England and Wales, and Scotland) are the relevant regulations about the use of data sources by EROs in order to make a determination.

6.1.7 Regulation 23 allows the ERO to require any person to supply them with information required for purposes of the ERO's duties in maintaining the register of electors. The ERO is therefore entitled to request data sets from organisations where the ERO deems it necessary for the purpose of verifying the identity of an applicant. Any data source that the ERO uses for this purpose must meet the requirements of paragraph 6.5.3. It should be noted that the ERO is not permitted to obtain information from individual applicants under Regulation 23 in order to make a determination of that person's application.

6.1.8 Regulation 35 allows the ERO to inspect any data held by the council which appointed the ERO, any Registrar of Births and Deaths (note that this is *not* limited to Registrars within the ERO's local authority area), and (where the ERO is appointed by a District Council) the relevant County Council. The ERO is also allowed to inspect any data held by private contractors or arms-length organisations that provide services to a local authority or undertake work on behalf of that authority - for example, a private contractor which has been appointed to collect council tax on behalf of the local authority, the ERO for that authority is entitled to access the data held by that contractor regardless of any contractual arrangements.

6.1.9 Regulation 35A gives express permission to the local authorities mentioned in paragraph 6.1.8 to provide data to the ERO but requires a written agreement between the ERO and the authority to be in place before any transfer of data occurs. The written agreement should regulate the processing of information, specifically; its transfer, storage, destruction, and security.

6.1.10 Schedule 2, paragraph 1(5) of the Representation of the People Act 1983 exempts information inspected under Regulation 35 from other

legislation. In practice, this means that the Data Protection Act does not constitute a barrier to local authorities in disclosing information. The ERO should be aware that there may be fees and charges levied by private companies who hold local authority data, particularly where the private company has undertaken work to improve the accuracy of a data set. While the cost of supplying information should be borne by the local authority, the ERO should take any potential access costs into consideration when assessing the viability of local data matching.

6.1.11 The exemption described in paragraph 6.1.10 does not extend to data supplied under Regulation 23. This means that the provisions of the Data Protection Act will apply to data gathered in this way; you should seek further guidance from your organisation's data security team on what you will need to do in order to ensure that any data transactions are DPA compliant.

6.2 Local data matching in the verification process

6.2.1 When an individual applies to register to vote, either on a paper form or online, they are asked to supply their National Insurance Number and date of birth. This information, together with the applicant's full name, is matched against the DWP CIS database; the results of this match will be returned to EROs with an overall match rating (pass or fail) for the applicant as well as a match rating against each item of data (name, NI No, DoB).

6.2.2 Where an applicant has been matched against DWP (a pass match) the ERO can then add the applicant's details to the next available update to the electoral register (see section 5 on interpreting verification DWP data match results) provided the application as a whole has been positively determined. Where it has not been possible to match the applicant the ERO may contact the applicant to query the information given on the application and (if it is not possible to resolve the query or if the ERO believes matching against local data may be more effective) may also use local data to verify the identity of the applicant. If the ERO decides not to contact the applicant or use local data matching, they should direct the applicant to the exceptions process so that they can establish their identity by providing documentary evidence.

6.2.3 In all cases, if the ERO cannot locate the applicant on local data or the ERO cannot be certain that local data verifies the applicant's identity then the applicant must be directed to the exceptions process.

6.2.4 Where an applicant cannot provide a National Insurance Number, the ERO may use local data matching to verify their identity.

6.3 Potential data sources

6.3.1 Please see section 3.3 of Ministerial Guidance which is included in [Part 3](#) of the Electoral Commission Guidance.

6.4 Methods of local data matching

6.4.1 Please see section 3.4 of Ministerial Guidance which is included in [Part 3](#) of the Electoral Commission Guidance.

6.5 Evaluating local data sources in verification

6.5.1 Where an ERO chooses to use local data matching for verification, they must decide whether each data source they intend to use can satisfy the requirements of the task.

Considerations particular to verification

6.5.2 Verification matching requires the ERO to establish the identity of the person applying. This means that local data sets which can be used for this purpose will be limited to those where the resident's identity has already been established for example, where an ERO wishes to use data gathered under regulation 35 this would mean data held on people who are in receipt of some form of benefit from the local authority, such as council tax benefit, or housing benefit.

6.5.3 EROs should assess their intended data record against the following criteria before using it to conduct local data matching as part of the verification process:

Criteria	Notes
Has the applicant provided identity evidence to the data holder?	The data source must record that the applicant has provided documentary evidence to prove their identity to the local authority. This could be; a) a passport or similar photo ID; b) a range of trusted government documents and/or financial and social history documents such as, birth certificate, adoptions certificate, financial statements, utility bills etc.
Has the applicant's evidence been confirmed as valid by the data holder?	The data source should record that the evidence provided by the applicant has been validated by checking with the issuing authority or against guidance provided by the issuing authority

Has the data holder ensured that the evidence provided belongs to the person applying?	The data source should record that the identity of the applicant has been verified by comparison of the applicant to the strongest piece of identity evidence
Does the data holder check that the evidence provided is not fraudulent?	The data source should record that the identity of the applicant has been subjected to counter fraud checks and that the document has been confirmed as genuine

6.5.4 All of the above criteria must be fulfilled before a data set can be considered suitable for matching.

General considerations

6.5.5 There is a key difference between data which an organisation has gathered for itself (such as its payroll data) and data that is based on information provided by individuals about themselves. While data holders have a responsibility under the Data Protection Act (DPA) to ensure the accuracy of the data they hold, the DPA says that the data holder will not be deemed to have breached the data protection principles if the inaccuracy of the data is the fault of the individual supplying it. EROs should therefore carefully consider if the source(s) of the data they are using is reliant on information provided by individuals and assess whether that information is likely to be accurate¹¹.

6.5.6 EROs should also consider what data standards and/or good practice exist for the local data source they wish to use. The ERO should ask the data holder whether data standards or good practice exist for the data sources they intend to use and then judge whether the data holder meets these standards or if it follows good practice. For example, the Department for Work and Pensions has set out detailed guidance¹² on good practice for the processing and use of council tax benefit and housing benefit, which includes guidance on the checking of evidence provided to local authorities and how to deal with fraud. An ERO from an authority that delivers its benefits service to these standards should be confident in using benefits data for local data matching.

¹¹ More information on this issue is available on the Information Commissioner's website

<http://www.ico.org.uk/>

¹² <http://www.dwp.gov.uk/local-authority-staff/housing-benefit/performance-and-good-practice/>

6.6 Determination of results

6.6.1 The purpose of local data matching is to provide the ERO with further information, beyond the DWP data match, with which to make a determination as to whether to allow a new application.

6.6.2 Unlike confirmation, there are only two forms of match for verification, pass and fail. Pass matches are those where the applicant's identifiers (NINo, DoB, and name) have been successfully matched against DWP records. Because there is no match against address (the connection between the applicant and their address having been established by the ERO by other means) and because DWP have confirmed the identity of the applicant, EROs should not need to conduct local data checks against pass matches.

6.6.3 An ERO may use local data matching to verify applicants whose personal identifiers cannot be matched against DWP records or who cannot provide these identifiers.

6.6.4 One of the key elements in using local data matching to make a determination on an elector/applicant is the ERO's confidence in the specific record used to match against the application. The level of trust an ERO places in an individual record will be affected by their belief that the data source as a whole can be considered to be reliable. However, there are three principles in making a determination based on local data that EROs must consider:

- Any determination made by an ERO should take into account the results of the data match against the DWP database prior to local data matching, where this takes place;
- Any decision made by an ERO should be capable of being defended in the event of challenge with a clear audit trail;
- An ERO should be confident that the local information they are using verifies the identity of a new applicant – where the ERO has any doubt as to the evidence they should proceed to the next stage of the process (exceptions).

The exceptions process

5.3 While the majority of applicants are likely to have their identity verified by matching against DWP records, or subsequently against local data sources, there will be some applicants who cannot supply the required personal identifiers and cannot be matched.

5.4 Applicants who cannot supply some or all of the required personal identifiers and cannot be matched or must be asked to provide documentary evidence to prove their identity – this is known as the exceptions process. Where an applicant cannot be matched and cannot supply documentary evidence, there is a separate attestation process (see [paragraph 5.9](#) later in this Chapter for further guidance).



We have produced template notices and letters to use when undertaking the exceptions and attestation process. These are available on the Cabinet Office's web portal at <https://ertp.cabinetoffice.gov.uk/>



Cabinet Office

Ministerial guidance

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EROs must, by law, have regard to this guidance.

7 Registering electors who do not have or cannot provide a National Insurance Number

The relevant legislative references on which this guidance is based are set out in Appendix 1.

7.1 Information about NINOs

7.1.1 NINOs should be of the form: AB 123456 C; that is, two letters, six numbers, one letter.

7.1.2 Some applicants will submit a NINo which does not contain a final letter. This is a valid submission and should be sent for verification as normal.

7.1.3 Some applicants may be in possession of a temporary NINo. The most common begin with:

- Two numbers
- The letters OO
- The letters TN

7.1.4 If an applicant possesses one of these NINos, their details will not match at DWP. The ERO is not required to submit a temporary NINo for verification and must proceed straight to the exceptions process. However, the ERO is also not required to filter these applications manually, and if the application is sent for verification as normal, it will fail, and the ERO will proceed to the exceptions process.

7.1.5 When completing a paper form, some electors may mistakenly provide numbers other than their NINo. The most common erroneous submissions are likely to be:

- NHS Number, these are 10 digits long, feature numbers only, and are normally laid out in a 3 – 3 – 4 format; and
- passport number, these are in varying formats, but not the same as either the NHS number or the NINo.

7.1.6 In cases where the applicant has clearly provided the wrong number, as detailed in 6.1.5, the ERO should contact the applicant, by any means of communication, including email and telephone, and ask them to provide the correct number. It is not possible to proceed with the application until a National Insurance Number has been given or a statement as to why it cannot be provided has been made, because the ERO cannot positively determine an incomplete application.

7.1.7 An application which does not have a correct NINo, is missing the applicant's NINo, or does not give a reason why a NINo cannot be provided is not a complete application and cannot be determined by the ERO for purposes of being included on the electoral register.

7.1.8 The great majority of eligible electors will have a NINo. NINos are ordinarily, *but not always*, issued to:

- Those who legally work in the UK;
- Those who claim benefits in the UK (including those who have had a Student Loan); and
- Those who are present in the UK just before their sixteenth birthday and whose parents are claiming child benefit for them.

7.1.9 However, a small number of people who fall into one of these categories (for example, legal workers, benefit recipients, etc.) may not have a NINo.

7.1.10 A number of applicants are eligible to vote in the UK but will not be in possession of a NINo. For example, (this list is *not* exhaustive):

- A European citizen who is studying in the UK and who is financially self-sufficient;
- A European citizen who has been posted to work in the UK but who continues to pay tax in their home country;
- A British young person who was not issued a NINo by HMRC's automatic issuing process;
- A Commonwealth citizen who lives in the UK and who is financially self-sufficient;
- A European citizen who has never worked or claimed benefits in the UK; and
- A British citizen who has never worked.

7.2 Applicants who do not have or cannot submit a NINo

7.2.1 On both the digital and the paper application forms, applicants who do not submit a NINo are asked to explain why they are not providing it. The ERO should be satisfied with the reason given for non-provision of a NINo.

7.2.2 As there is no definitive list of those who *should* hold NINos, it is not possible to give a list of universally satisfactory reasons for non-provision of a NINo. Reasons that EROs are likely to encounter include:

- The applicant was never issued one;
- The applicant refuses to give it; and
- The applicant cannot find their NINo.

7.2.3 It is possible that other reasons may be given to the ERO as to why a NINo cannot be provided. The ERO should assess the validity of the reason given on a case by case basis, bearing in mind the guidance given in this document.

7.2.4 If the applicant makes a statement on the application form that they have never been issued a NINo, and the ERO has no evidence to contradict the claim, the applicant should be directed to the exceptions process. DWP are not allowed to issue NINos for the purposes of registering to vote, and EROs must not ask applicants who do not have a NINo to apply for one.

7.2.5 If an applicant makes a statement on the application form that they refuse to provide their NINo, it is at the discretion of the ERO to determine whether to reject the application or to direct the applicant to the exceptions process. The applicant is required by regulation 26(1) (f) of the Representation of the People Regulations 2001 to provide their NINo, and can be reminded of this fact.

7.2.6 If the applicant makes a statement on the application form that they have lost or forgotten their NINo, the ERO should either ask the applicant to locate their NINo (see paragraph 7.2.7) or direct the applicant to the exceptions process.

7.2.7 There is no definitive list of places where an applicant can find their NINo, although most paper communications from HMRC will feature it. The following is a list of places the NINo is most likely to be found, depending on the circumstances of the applicant:

For people over 16 but not yet working
A registration letter from HMRC telling them what their NINo is (their parents may have this)
For employed people
Pay slips from their employer
P60 (end of year statement of pay and tax from their employer)
P2 (notice of tax coding from HMRC)
P45 (from their employer when they left a job)
P11D (from their employer if they get any benefits in kind)
P800 (from HMRC if they have over or underpaid tax at the end of the year)
Notice to file a Tax Return (SA316) or Tax Return (if they are in Self-Assessment)
Self-employed people
Notice to file a Tax Return (SA316) or Tax Return
Statement of Account
Other
A plastic NINo card (these stopped being issued in 2011)

8 Registering electors who do not or cannot provide a date of birth

The relevant legislative references on which this guidance is based are set out in Appendix 1.

8.1 Information about dates of birth

8.1.1 A small number of people who are eligible to vote cannot provide a date of birth (DoB). Those individuals who have never known their actual DoB will most likely have been given an 'official' DoB over the course of time; this might include a DoB on an adoption certificate, a naturalisation certificate, a passport or a driving licence. These suffice for the purposes of making an IER application, and they are likely to match the DoB on record with the DWP.

8.2 Applicants who do not or cannot submit a date of birth

8.2.1 On both the digital and the paper application forms, applicants who do not submit a DoB are asked to explain why they are not providing it. The ERO should be satisfied with the reason given for non-provision of a DoB.

8.2.2 Applications without a DoB must also be accompanied by a statement that the applicant is over 18 and (in England and Wales only), whether the applicant is over 70.

9 The exceptions process

The relevant legislative references on which this guidance is based are set out in Appendix 1.

9.1 How to use the exceptions process

9.1.1 Where an applicant is required to provide documentary evidence, the ERO should write to the applicant informing them that it has not been possible to establish their identity as required by law and asking them to supply documentary evidence.

9.1.2 EROs have discretion to reject applications where the application is obviously false (e.g. the applicant has given an address which has clearly been fabricated or does not exist) and do not need to undertake the exceptions process in such cases.

9.1.3 The letter to the applicant should list the types and quantity of evidence that must be provided as set out in the table below.

9.1.4 The ERO may also set a deadline date for the applicant to respond; this will be helpful to the ERO when deciding to reject an application because no response has been received. The time given to applicants to respond is at the discretion of the ERO; however, it should allow the applicant reasonable time to locate and provide the documents required for exceptions.

9.1.5 In the first instance, the ERO should request that the applicant provide photocopies of the evidence to the ERO. EROs should ensure that copies of documents provided by applicants, or copies taken by the ERO of original documents, should be stored securely in the same way as application forms. The applicant may attend the ERO's office in person with either copies or original

documents if they are unwilling to send copies through the post.

9.1.6 The ERO must be satisfied that the documents or copies provided to them appear to be genuine.

9.1.7 Where the ERO has doubt as to whether a document that has been copied is genuine or where the copy is of such poor quality that the ERO cannot make an assessment of the document, the ERO may ask the applicant to present the original document(s) in person at the ERO's office. It is also permissible for the applicant to send original documents to the ERO to be copied and returned, however EROs should be aware that they would become responsible for the secure transit of the document.

9.1.8 Where the ERO has doubt as to whether an original document is genuine, they may ask the applicant to provide alternative documentary evidence in the first instance. Where alternative documentary evidence is not available, the ERO should direct the applicant to the attestation processor or reject the application.

9.1.9 An application using the exceptions process is not considered complete until the applicant has provided satisfactory documentary evidence of their identity. Applications should not be determined for inclusion on the register until a complete application has been made.

9.1.10 Where an applicant has provided documentary evidence that does not appear to be genuine, the ERO should advise the applicant of the penalties for supplying false information. The ERO should inform their police Single Point Of Contact (SPOC) that false information may have been supplied.

9.1.11 If an applicant does not respond to the ERO's request to supply documentary evidence, the ERO may reject the application and inform the applicant of this in writing.

9.1.12 The types and quantities of documents required to successfully establish an applicant's identity using the exceptions process are as follows:

- Route 1: Applicants may provide any one document from table 1 to the ERO to establish their identity.
- Route 2: Applicants who cannot provide any of the documents from table 1 can provide one document from table 2 and two additional documents from either table 2 or table 3.
- Route 3: Applicants who cannot provide any of the documents in tables 1 or 2 can provide four documents from table 3.

Table 1: Primary identification documents	
Document	Notes
Passport	Any current passport
Biometric residence permit	UK issued only
EEA Identity Card	Must still be valid

Photo card part of a current driving licence ¹³	UK/Isle of Man/Channel Islands (full or provisional)
Northern Ireland Electoral ID card	

Table 2: Trusted Government Documents

Document	Notes
Old style paper version of a current driving licence	UK only
Current photo driving licence	Any other than UK and Crown Dependencies
Birth certificate	UK and Crown Dependencies only
Marriage/Civil Partnership certificate	UK and Crown Dependencies only
Adoption Certificate	UK and Crown Dependencies only
Firearms Licence	UK and Crown Dependencies only
Police Bail Sheet	UK and Crown Dependencies only

Table 3: Financial and Social History Documents

Document	Notes	Issue Date and Validity
Mortgage Statement	UK, Crown Dependencies or EEA	Issued in the last 12 months
Bank or Building Society Statement	UK, Crown Dependencies or EEA	Issued in the last 3 months
Bank or Building Society account opening confirmation letter	UK and Crown Dependencies	Issued in the last 3 months
Credit card statement	UK, Crown Dependencies or EEA	Issued in the last 3 months
Financial statement, e.g. pension or endowment	UK, Crown Dependencies or EEA	Issued in the last 12 months
Council Tax statement	UK and Crown Dependencies	Issued in the last 12 months
Utility Bill	UK and Crown Dependencies – not mobile phone bill	Issued in the last 3 months

¹³ EROs should be aware, and should make applicants aware, that classifying a photo driving licence as a primary identification document does not mean that a photo driving licence has greater value as a licence to drive than a paper licence. The photo driving licence has been classified as a primary identification document because an ERO can easily establish the identity of the licence holder from the photo on the licence. The ERO should assure an applicant who holds a paper licence that this can be used to establish their identity in the next group of documents if other photo ID is unavailable.

P45 or P60 statement	UK and Crown Dependencies	Issued in the last 12 months
Benefit statement e.g. Child Benefit, Pension	UK and Crown Dependencies	Issued in the last 3 months
Central or local government, government agency, or local council document giving entitlement, e.g. from DWP, Job Centre Plus, HMRC	UK and Crown Dependencies	Issued in the last 3 months

9.1.13 In all cases, each piece of documentary evidence should refer to the applicant by name. For example, a credit card statement provided as evidence should be for a credit card held in the name of the applicant.

9.1.14 Applicants who meet the requirements set out above and have provided evidence which appears to be genuine to the ERO have established their identity to the standard set by regulations and Ministerial Guidance.

9.2 Next steps

9.2.1 An applicant who has established their identity to the ERO through the use of documentary evidence according to the framework set out in this guidance should, provided they have satisfied the other eligibility criteria for registration, have their application positively determined.

9.2.2 If an applicant cannot provide the quantity and types of documentary evidence set out in this guidance, they should be asked to provide an attestation in support of their application.

9.2.3 Where an applicant provides documentary evidence that appears to the ERO to be false, the ERO may either ask the applicant to provide an attestation in support of their application or reject the application.

Documents in support of an application

Document authenticity checks

5.5 The purpose of documents being provided in support of an application is to allow you to satisfy yourself as to the identity of the person making the application and that they are the person named in the application. You will therefore need to be satisfied that a document provided to you for this purpose is genuine.

5.6 The Home Office offers a free e-learning course on document fraud which can be found at: <http://www.hoidfraudawareness.co.uk/>. It includes example images, key features and information to check, and assessment of documents. It covers:

- supporting documents, such as bank statements and utility bills
- imposters
- counterfeits
- forgeries
- fantasy documents

5.7 General tips on what to look for when determining if a document is genuine can be found in a guide issued by the Centre for the Protection of National Infrastructure which can be found at:
http://www.cpni.gov.uk/documents/publications/2007/2007044-gpg_document_verification_guidance.pdf

5.8 The following table provides information on where guidance for checking particular documents that may be used for the verification of an applicant's identity can be found. It only covers the documents for which guidance is available:

Part 4: Maintaining the register throughout year

Table 1: Primary identification documents	
Document	Resources
Any current passport	<p>Images and security features of all EU passports can be found on: www.consilium.europa.eu/prado/EN/homeIndex.html</p> <p>Images of passports issued by the majority of countries are available on the following website: http://www.edisontd.net/</p>
Biometric residence permit (UK issued only)	<p>Images and security features are included in the following guide: http://www.ukba.homeoffice.gov.uk/sitecontent/documents/residency/brp-information-leaflet.pdf</p>
EEA identity card	<p>Images and security features can be found on: www.consilium.europa.eu/prado/EN/homeIndex.html</p>
Current driving licence – photo card with counterpart; full or provisional (UK/Isle of Man/Channel Islands)	<p>A guide to the photo card part of the licence can be found at: http://www.direct.gov.uk/prod_consum_dg/groups/dg_digitalassets/@dg/@en/@motor/documents/digitalasset/dg_068625.pdf</p>

Table 2: Trusted Government Documents	
Document	Resources
Current photo driving licence (Any other than UK and Crown Dependencies)	<p>Images and security features for EU licences can be found on: www.consilium.europa.eu/prado/EN/homeIndex.html</p>
Birth certificate (UK and Crown Dependencies only)	<p>A guidance document on UK birth certificates with information on format changes and images is available at: www.gov.uk/government/uploads/system/uploads/attachment_data/file/118844/a-guide-to-birth-certificates.pdf</p> <p>Examples of both UK (p20) and crown dependencies (p22) birth certificates are also contained in a document on the former UK Border Agency website: www.bia.homeoffice.gov.uk/sitecontent/documents/employersandsponsors/preventingillegalworking/currentguidanceandcodes/comprehensiveguidancefeb08.pdf?view=Binary</p>

Adoption certificate (UK and Crown Dependencies only)	Examples contained in a document on the former UK Border Agency website UK (p21) and Crown Dependencies (p23): www.bia.homeoffice.gov.uk/sitecontent/documents/employersandsponsors/preventingillegalworking/currentguidanceeandcodes/comprehensiveguidancefeb08.pdf?view=Binary
Firearms licence (UK and Crown Dependencies only)	The format of firearms certificates can be found at: http://www.legislation.gov.uk/ukxi/1998/1941/schedule/1/part/II/made
Police bail sheet (UK and Crown Dependencies only)	There is no standard police bail sheet. If you have doubts as to the authenticity of the document, you can contact the issuing police force. You could also contact the local police force(s) for your area to obtain sample bail sheets.

The attestation process

5.9 Attestation is the final option in the verification of identity process. Applicants can only use attestation to establish their identity once all the other stages - DWP matching and local data matching (where appropriate) and the exceptions process - have been undertaken and it has not been possible to verify their identity.



We have produced template notices and letters to use when undertaking the attestation process. These are available on the Cabinet Office's web portal at <https://ertp.cabinetoffice.gov.uk/>



Cabinet Office

Ministerial guidance

! This guidance has been issued by the Minister under article 7(9) of the Electoral Registration and Administration Act 2013 (Transitional Provisions) Order 2013.

EROs must, by law, have regard to this guidance.

10 The attestation process

The relevant legislative references on which this guidance is based are set out in Appendix 1.

10.1 Managing and assessing attestations

10.1.1 Where an applicant cannot prove their identity by providing documentary evidence to the type and quantity required by the exceptions process, the ERO should write to the applicant informing them of this and asking them to provide an attestation in support of their application.

10.1.2 The ERO may wish to design a form that contains the necessary legal statements and requirements for an attestation; alternatively, the ERO may wish to set this detail out in the letter to the applicant. In all cases, the ERO must communicate the legislative requirements for an attestation as set out in regulations 26B (see section 10.2).

10.1.3 If an applicant submits an attestation which is not made using a pro forma designed by the ERO but which contains all of the required information for an attestation, the ERO should accept this attestation as valid.

10.1.4 The ERO should also provide examples of a 'person of good standing' (see section 10.1.12) to aid the applicant in identifying a suitable attester.

10.1.5 The ERO may wish to consider setting a deadline date for the applicant to respond; this will be helpful to the ERO when deciding to reject an application because no response has been received. The time given to applicants to respond is at the discretion of the ERO; however, it should allow the applicant reasonable time to source and return their attestation.

10.1.6 An application using the attestation process is not considered complete until the applicant has provided a satisfactory attestation that establishes their identity. Applications should not be determined until a complete application has been made.

10.1.7 The applicant should be advised that it is not permissible for an attestor to charge for providing an attestation.

10.1.8 The applicant must attend the ERO's office in person to deliver their attestation – a submission by post or email is generally not acceptable, however the ERO may, if they wish, waive this rule where the applicant is not physically able to deliver their attestation. In such cases, the ERO may wish to send a member of their staff to the applicant's registered address to collect the attestation in person.

10.1.9 One of the requirements of the attestor is that they supply their electoral number as part of the attestation. EROs should be aware that they may receive requests from potential attestors to supply this information.

10.1.10 When the ERO receives an attestation, they should ask the following questions to assess whether the attestation meets the requirements of legislation:

Question	Answer
The attestor has stated that the applicant is the person named in the application (this would be confirmed by a written statement and the attestor signing the attestation)	Yes/No
The attestor has confirmed that they are aware of the penalty for providing false information to the registration officer (this would be confirmed by a written statement and the attestor signing the attestation)	Yes/No
The attestor has confirmed that they are not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of the applicant (this would be confirmed by a written statement and the attestor signing the attestation)	Yes/No
The attestor has given their full name (this should be written or printed on the attestation)	Yes/No
The attestor has given their date of birth (this should be written or printed on the attestation)	Yes/No
The attestor has given their electoral number (this should be written or printed on the attestation)	Yes/No
The attestor has given their occupation (this should be written or printed on the attestation)	Yes/No
The attestor has dated the attestation	Yes/No
The attestor has signed the attestation	Yes/No

10.1.11 If the answer to all of these questions is yes then the applicant has provided a complete attestation; however, if one or more are answered with a no then the attestation is not complete and the applicant must be directed to ask the attestor to supply the missing information. If an attestor cannot supply the missing information then the applicant should be told that they must seek an attestation from another source, otherwise their application will be rejected. Again, the ERO may wish to set a deadline date for this.

10.1.12 Once a complete attestation has been received, the ERO must assess whether the application is valid by answering three further questions.

- a) Is the attestor a 'person of good standing in the community'?
- b) Is the attestor registered to vote in the same local authority area as the applicant?
- c) Has the attestor made less than two attestations in the current electoral year?

10.1.13 There is no a precise definition of good standing; however, for purposes of evaluating this point for an attestation, the ERO should consider it to mean someone who has credentials that can be checked and would suffer professional or reputational damage if they were to provide a false attestation. The list in the table below is not intended to be definitive but is intended to illustrate to EROs which professions could be described as of good standing:

accountant airline pilot articled clerk of a limited company assurance agent of recognised company bank/building society official barrister chairman/director of limited company chiropodist commissioner of oaths civil servant (permanent) dentist director/manager of a VAT-registered charity director/manager/personnel officer of a VAT-registered company engineer (with professional qualifications) financial services intermediary (e.g. a stockbroker or insurance broker) fire service official funeral director insurance agent (full time) of a recognised company journalist Justice of the Peace legal secretary (fellow or associate member of the Institute of Legal Secretaries and PAs)

licensee of public house
 local government officer
 manager/personnel officer (of a limited company)
 medical professional
 member, associate or fellow of a professional body
 Merchant Navy officer
 minister of a recognised religion (including Christian Science)
 nurse (RGN and RMN)
 officer of the armed services
 optician
 paralegal (certified paralegal, qualified paralegal or associate member of the Institute of Paralegals)
 person with honours (an OBE or MBE, for example)
 pharmacist
 photographer (professional)
 police officer
 Post Office official
 publically elected representative (MP, Councillor, MEP, etc)
 president/secretary of a recognised organisation
 Salvation Army officer
 social worker
 solicitor
 surveyor
 teacher, lecturer
 trade union officer
 travel agent (qualified)
 valuer or auctioneer (fellows and associate members of the incorporated society)
 Warrant Officers and Chief Petty Officers

10.1.14 NOTE: An unemployed/retired person who is of good standing in the community is not precluded from attesting an application.

10.1.15 EROs must judge each attestation on its individual merits rather than apply a blanket policy.

10.1.16 In regard to question b) 'Is the attestor registered to vote in the same local authority area as the applicant?' the ERO should check their electoral register and verify that this is so. The provision of the attestor's name, address, electoral number, and date of birth will aid in establishing this. Scottish VJBs who cover more than one local authority area will need to ensure that the applicant and their attestor are both within the same authority area.

10.1.17 In regard to question c) 'Has the attestor made less than two attestations in the current electoral year?' attestors are limited to making no more than two attestations in any one electoral year (normally from 1 December to 30 November). The EROs election management software should record each time

an elector has made an attestation; where the limit has been reached, the ERO should reject the attestation for this reason – this does not prevent the applicant from seeking another attestation from a different elector. Attestations should be processed and assessed in the order they are received by the ERO.

10.1.18 Where the ERO can answer yes to questions a) – c) then the attestation is valid and has successfully established the identity of the applicant. If the answer is no to one or more of the questions then the application is not valid and the applicant cannot be registered.

Contingency

5.10 The Minister has issued guidance on the processes you should follow to verify the identity of an applicant should the IER Digital Service be unavailable. The Ministerial guidance also covers the processes to be followed should you be unable to receive and process applications made online in the event of a service outage which prevents normal use of the IER Digital Service.

5.11 The Cabinet Office have developed a skeleton contingency plan which can be used as a template for creating your own contingency plan. The skeleton contingency plan can be found on the Cabinet Office's web portal at: <https://ertp.cabinetoffice.gov.uk/>. Whichever form your plan takes, it should be incorporated into your existing business continuity plans and your organisational disaster recovery plans, and reviewed and updated on a regular basis.

5.12 Details on how to contact your Regional Delivery Manager will be available on the Cabinet Office's web portal: <https://ertp.cabinetoffice.gov.uk/>.



Cabinet Office

Ministerial guidance

! This guidance has been issued by the Minister under article 7(9) of the Electoral Registration and Administration Act 2013 (Transitional Provisions) Order 2013.

EROs must, by law, have regard to this guidance.

11.1 Introduction

11.1.1 IER requires EROs to be satisfied as to the identity of any person applying for inclusion on the register. This means that the ERO will need to take steps to verify the identity of an applicant. Under IER an applicant must provide personal identifiers to establish that they are the person named in the application or state why they cannot provide these identifiers. Where these identifiers are supplied and where it is possible to do so, the ERO must send this information to be verified against DWP records and use the result of that matching process to assist their determination as to whether the applicant can be included on the register.

11.1.2 The IER Digital Service has been robustly tested and measures are in place to ensure that the service will be continually operated; situations where this system fails are highly unlikely. There is also a possibility that the systems EROs use may experience difficulty connecting to the IER Digital Service because of a local service outage. Whilst either possibility is not considered to be likely, it is sensible to plan ahead for any circumstances where a service outage, either at a local level within the ERO's organisation or at a national level prevents communication with the IER Digital Service from taking place. The ERO must, where it is possible to do so, use the IER Digital Service to verify an applicant's identity. However there may be times where one of the situations described above or some other scenario prevents the ERO from accessing this service either to send or receive information.

11.1.3 It is likely that the most appropriate course of action will be for the ERO to wait until the service becomes available again. There may be circumstances, however, in which an ERO needs to make an urgent determination of the applications they hold. For example, a service outage immediately prior to a registration deadline may require urgent action to ensure that all applications are determined before publication of the relevant notice of alteration. If the ERO has made reasonable efforts to access the IER DS and not been successful they

should contact the IER Support Centre. Taking into account the advice from the IER Support Centre, EROs should then consider whether or not to undertake local contingency.

11.1.4 EROs will also need to be able to receive and process applications made online in the event of a service outage which makes normal use of the IER Digital Service impossible. Depending on the nature of the service outage they should speak with the IER Support Centre who will advise them on the available options for accessing application data.

11.1.5 In all cases EROs should ensure that they have local contingency plans in place and have included the requirement to maintain contact with the IER Digital Service in their organisation's disaster recovery plans. Sections 11.3 and 11.4 set out this requirement in more detail.

11.1.6 This next section outlines the measures that are available to EROs and the level of assistance they may expect from the IER Digital Service in the event of a critical service outage.

11.2 Actions to take if you cannot access the IER Digital Service

11.2.1 **Determine the source of the outage:** EROs will need to determine the source of the problem as far as they are able. EROs should contact their organisation's IT department in the first instance; where the issue does not appear to be a local one, they should access the information available on the status of the IER Digital Service¹⁴.

11.2.2 **Assess the problem:** EROs should assess whether the service outage will have a critical impact on voter registration. Factors an ERO may consider in reaching this assessment will include; the proximity of any registration deadlines, the volume of outstanding applications to be processed, the projected resolution time of the service outage, and the resources available to them to carry out the registration process in a timely fashion. For example, an outage during the ordinary rolling registration monthly cycle where an election deadline is not imminent may not be deemed by the ERO to have a critical impact – applications could be determined after the service has been resumed.

11.2.3 **Report the problem:** Local issues should be reported to your organisation's IT department for resolution or your EMS supplier if the problem appears to be EMS based. EROs should check any communications from the IER Support Centre and, if these do not contain information on their issue, report it to

¹⁴ Contact information for the IER Support Centre and how to access information on the status of the IER Digital Service will be made available to EROs in advance of the beginning of IER.

the IER Support Centre¹. The Support Centre will discuss with EROs potential solutions to any issues and will have measures in place to resolve many of the most likely issues around local connectivity to the IER service.

11.2.4 Decide whether to deploy contingencies: EROs should use the information they have gathered under the previous steps to decide whether to invoke their contingency plans. Whilst the factors that affect this decision will be dependent on individual circumstances, EROs should generally consider the projected resolution time of the issue, the proximity of any registration deadlines, the number of registration applications awaiting determination, and the resources available to them to carry out the registration process in a timely fashion.

11.2.5 Record your actions: EROs should make a record of any issue, whether contingency plans were employed, what actions they took, and what the outcomes were from these actions. This information may prove useful to EROs in the event of any challenge to their decisions.

11.2.6 Advice and guidance will be available to EROs at any time; either from their Regional Delivery Manager during the transition to IER or from the IER Support Centre in the long term.

11.3 Contingency planning for verifying identity

11.3.1 If an ERO cannot access the IER Digital Service and will not be able to do so in time to determine applications before the deadline, then the ERO will need to turn to a local method of verification. In these circumstances, there are two possible methods other than the check against DWP data for verifying identity within the IER legislative framework: matching applicants against local data, and the exceptions process which requires applicants to supply documentary evidence of their identity. Where an applicant cannot prove their identity by providing documentary evidence to the type and quantity required by the exceptions process, the attestation process should be followed. Guidance on local data matching for verification purposes and the exceptions and attestations processes is contained in sections 6, 7 and 9.

11.3.2 Each ERO should decide which approach is most appropriate in their individual circumstances. Whichever approach is taken, the ERO must be satisfied as to the applicant's identity before they can allow an application.

11.3.3 Matching against local data allows the ERO to use data sources available to them under Regulation 35 of the Representation of the People Regulations 2001 to verify that the person making the application is the person that they claim to be. Guidance on local data matching for verification purposes can be found in section 6. If an ERO does not normally carry out local data-matching for verification purposes, this option should only be used as a contingency if the ERO is satisfied that the data sources available to them can

satisfy the requirements of the task, as set out in sections 6.5 and 6.6 of the Ministerial guidance.

11.3.4 If an applicant cannot be matched against local data, or the ERO chooses not to use this option, the exceptions process must be followed and applicants must be asked to provide documentary evidence of their identity in order to register. The ERO will need to be mindful of the burden this could potentially impose on the applicant such as, for example, the elderly or vulnerable or those for whom English is not their first language. More information on the documentary exceptions process can be found in section 9.

11.3.5 EROs should establish in advance of the start of IER which contingency method(s) they intend to employ and what resources they will require to enable them. This should be documented in the ERO's contingency plans. Resource/IT requirements should be logged as critical requirements in their organisation's disaster recovery plans and provision made for the necessary resources to implement them.

11.3.6 The ERO should check the progress and resolution time for the problems which initiated the contingency process in order that they can revert back to the IER Digital Service as soon as these are resolved.

11.4 Contingency planning for receipt of online applications

11.4.1 EROs should notify their EMS supplier and if necessary, the IER Support Centre if they are experiencing difficulty with retrieving or viewing online applications. The ERO should ensure that they inform the IER Support Centre of any registration deadlines that are imminent; the Support Centre will make an assessment of the potential impact to the registration service and will make every effort to provide the ERO with alternative means of accessing application data. The nature of this assistance will be dependent on circumstances; however the Support Centre will provide full advice on the implementation of the proposed solution.

11.4.2 EROs should be aware that circumstances may mean that it is not possible for online applications to be verified against DWP data in the event of a service outage. EROs should ensure that their contingencies identified in 12.3 are also capable of being used for the receipt of online applications from the IER Support Centre as, for example, there may be the need to use the exceptions process to check the identity of online applications.

6 Determining entitlement to be registered

6.1 For you to determine that someone is entitled to be registered you need to be satisfied that:

- the application is made by someone who appears to be the person named on the application (see [Chapter 5: Verification](#))
- any statutory requirements in relation to the application, including how it may be made and the information it must contain, are met (see [Chapter 4: Applications](#), [Chapter 7: Special category electors](#) and [Chapter 8: Amendments to existing entries](#))
- the person named on the application appears to the ERO to meet the eligibility criteria for registration and is not disqualified from registering (see [Part 2: 'Registration framework'](#))

When can entitlement to be registered be determined?

6.2 You should determine entitlement as soon as is practicable. As far as possible, you should ensure that you make a determination by the relevant deadline for the next register update - be that a notice of alteration or the revised register. This will ensure that your register is kept as up-to-date as possible.

6.3 You must make a determination on entitlement to registration based on whether or not an applicant meets the requirements in paragraph [6.1](#). You can also require additional evidence where you consider it necessary to verify identity or determine an applicant's entitlement to register.

6.4 Once you have received an application, it may be determined without a hearing after five clear working days have passed from the day the application was listed, provided it meets the statutory requirements of an application, no objections to registration have been received and the identity of the applicant has been verified.

6.5 In the case of applications accompanied by an application for anonymous registration, it is not necessary to wait five days for determination. This is because the application cannot be objected to and you can allow the application without a hearing at any time once you are satisfied that it meets all of the requirements for registration.

6.6 If an objection has been made you must consider it before proceeding to a determination. If an objection has been deemed by you to be clearly without merit you can proceed to determine the application. If not, the determination of the application will be made alongside the determination of the objection.



You can find guidance on objections in [Chapter 10: Reviews, objections and hearings](#).

Application hearings

6.7 Applications for registration do not have to be taken at face value. You have the option to take any application to a hearing. You should consider proceeding to a hearing where you have questions about the integrity of an application. For example, you may have reason to doubt the authenticity of the information provided in the application or of any documentary evidence supplied in support of the application. If you are unable to resolve these doubts through the process of verifying the identity of the applicant or any further correspondence with the potential elector, including through the supply of any evidence obtained under your power to require evidence of age and nationality, you should proceed to a hearing.

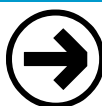
6.8 Hearings may also be required by a person who objects to an application or by an applicant who receives notice that their application is to be disallowed.



Further information on the hearings process can be found in [Chapter 10: Reviews, objections and hearings](#).

Allowing applications for registration

6.9 Where you determine that a person is entitled to be registered, you must add the person to the register at the next opportunity.



Tables showing determination deadlines for inclusion on a notice of alteration or the revised register are included in [Chapter 11: Publication of notices of alteration and revisions to the register](#).

6.10 Before publication of the revised register or notice on which the person will be added to the register, where a successful application is made by a new elector following an invitation to register, you must send them a confirmation notice. You must use a form approved by the Lord President of the Council and made available by the Commission.

Disallowing applications for registration

6.11 You must disallow an application where it:

- contains information demonstrating that it cannot be successful, or
- there is insufficient information to allow the application to succeed after you have taken all the necessary steps to obtain it, or
- the applicant's identity could not be verified

6.12 If there is insufficient information to allow the application you should follow the steps set out in paragraphs [4.17](#) to [4.21](#).

6.13 Where you are of the view that an application for registration cannot be allowed, you must send a notice to the applicant stating that, in your opinion, the application cannot be allowed because:

- the particulars of the application are such that they do not entitle the applicant to succeed, or
- the matter has been concluded by a court decision

6.14 You must also give the applicant the opportunity to ask for a hearing, and set out that unless notice is received from the applicant within three working days requesting that you hear the application, the application may be disallowed. If you receive no request for a hearing, you may disallow the application and no further action is required. If a request is received, a hearing must be held (see [Chapter 10: Reviews, objections and hearings](#)).

7 Special category electors

7.1 Special category electors are:

- overseas electors, i.e. British citizens living outside the UK
- HM Forces service voters (and their spouses or civil partners)
- Crown servants and British Council employees (and their spouses or civil partners)
- electors who have a declaration of local connection, who include people living in the UK but who have no permanent address or fixed address
- anonymously registered electors, i.e. those who can register anonymously because their safety would be at risk if they appeared on the register using their name
- patients in mental hospitals whose stay at the hospital is sufficient for them to be regarded as resident there
- remand prisoners whose stay at a penal institution is sufficient for them to be regarded as resident there

New applications as special category electors

7.2 From the start of the transition to IER (10 June 2014 in England and Wales; 19 September 2014 in Scotland), anyone newly applying to register as a special category elector will be required to be registered individually.

7.3 The duty to send a second and third invitation to non-responding new potential electors and the duty to make at least one personal visit does not apply where someone has made an application:

- under section 7(2) or 7A(2) of the RPA 1983
- by making a declaration of local connection, service declaration or overseas elector's declaration
- to register anonymously

Existing special category electors

7.4 Existing special category electors whose registration renewal date falls in the three months beginning with the start of IER do not need to provide personal identifiers on renewal and can renew their registration under the 'old' registration provisions.

7.5 In England and Wales, the three-month period will run from 10 June 2014 to 9 September 2014 (inclusive).

7.6 In Scotland, the three months will run from 19 September 2014 to 18 December 2014 (inclusive).

7.7 After this period, any existing special category elector whose registration is due for renewal and who wish to remain registered must make a successful new application for registration. For example, an overseas elector registered in England whose registration expires in July 2014 does not need to make a fresh application under IER when renewing. They would, however, need to make a new application to register and provide personal identifiers when they next renew in July 2015.

7.8 All existing special category electors whose registration expires more than three months after the start of IER (i.e. on 10 September 2014 or later for England and Wales and on 19 December 2014 or later for Scotland) will be required to make a new application for registration and supply their date of birth and National Insurance Number as part of their application. These personal identifiers will then be matched against DWP records in the same way as ordinary electors (see [Chapter 5: Verification](#)). Electors who can be matched against DWP records and who continue to satisfy the other requirements for registration will have their registration renewed; those who cannot be matched will have to establish their identity by other means, dependent on the type of special category elector (details are included in the Ministerial guidance [below](#)).

Absent vote entitlement

7.9 Before an existing special category elector's application is due for renewal, they will be able to retain their absent vote or may apply for an absent vote even if they are not individually registered. They are the only category of elector who will not lose their absent vote entitlement after the publication of the register after the first IER canvass.

7.10 If an existing special category elector has appointed a proxy, their proxy need not be individually registered until the elector has made a successful application to be individually registered. Once the elector becomes individually registered their proxy will not be able to act as proxy unless they are, or will be, individually registered too. A proxy 'will be' individually registered if they have made a successful application to be individually registered, or their details have been confirmed, but they have not yet been added to the register.

7.11 If a proxy is not, or will not be, registered at the point that the elector is individually registered their appointment ceases. You must notify the proxy and elector and amend the list of proxies accordingly.

Forms



You must use the special category application forms approved by the Lord President of the Council and made available by the Commission, for new special category electors and any existing electors renewing their declarations after the 3-months following commencement. These are available on the Cabinet Office's web portal: <https://ertp.cabinetoffice.gov.uk/>. Overseas electors, HM Forces service voters (and their spouses or civil partners), and Crown servants & British Council employees (and their spouses or civil partners) may also apply through the IER Digital Service.

Overseas electors

Who may register?

7.12 Subject to a set of conditions, a British citizen living abroad is entitled to be registered as an overseas elector if they are either:

- a person who is (or was) included in a register of Parliamentary electors before they left the UK, or
- a person who was too young to be included on the register at the time they left the UK

Conditions that apply to a person who is (or was) included in a register of Parliamentary electors before they left the UK:

- that entry on the register was made on the basis that they were resident, or treated for the purposes of registration as resident, at that address
- that the entry on the register was in force within 15 years of the date given on the declaration provided as part of the application to register as an overseas elector, and
- they have not appeared in any other electoral register for any other qualifying address since being last registered at the application address

Conditions that apply to a person who was too young to be included on the register at the time they left the UK:

- have last lived in the UK within 15 years of the date given on the declaration provided as part of their application to register as an overseas elector
- have been too young to have been included in a register of electors prior to residing overseas
- have the name of a parent or guardian included in a register of electors for the address at which they were residing prior to living overseas, and
- have reached the age of 18 years within a period of 12 months starting from the 1 December following their application

Contents of overseas application under IER

7.13 An application to register as an overseas elector must contain all of the following:

- The applicant's full name, and any previous name by which they have been known within 12 months before the date of the application.
- The last UK address at which they were registered and an address where they can be contacted.
- Any address where the applicant has ceased to reside in the 12 months prior to the date of the application and, where that address is not in the UK, an indication of whether that person was registered as an overseas elector during this period.
- An indication of whether the applicant is resident at any other address, including any address where the applicant is currently registered and claims to be entitled to remain registered.
- The applicant's date of birth (except where a person is unable to provide this information).
- The applicant's National Insurance Number (except where a person is unable to provide this information).
- An indication of whether the applicant requests their name to be omitted from the edited register.
- If an application is also an application to change a person's name, that fact.
- A declaration that the contents of the application are true.
- The date of the application.
- The appropriate declaration.

7.14 The declaration must be dated and must state:

- The applicant's full name and present address.
- That they are a British citizen.
- That they are not resident in the UK on the relevant date.
- The date when they ceased to be resident in the UK or, in the case of a person relying on registration in pursuance of a service declaration, when they ceased to have a service qualification or, if later, ceased to be so resident.
- Which of the two sets of conditions apply.
- In the case of the first set:
 - the address in the UK at which they were registered
 - if they were last registered in pursuance of a service or other declaration, rather than actual residence at the address and no longer had connection with the address at the time at which they were so registered, a statement that they were so registered.)
 - if their name has changed since they were last registered in respect of the address, the name under which they had last previously registered and give the reason for the name change

- In the case of the second set:
 - their date of birth
 - the address in the UK at which they were resident
 - the name of the parent or guardian on whose registration in respect of that address they rely
 - whether the person named was a parent or guardian
 - if the applicant has not on a previous occasion made an overseas elector's declaration in pursuance of which they were registered, the applicant's birth certificate must be sent together with the declaration. The birth certificate must contain the applicant's date of birth and the names of either or both of the parents.
 - where the applicant's name on their birth certificate (if required to be submitted) is not the same as their name as given in the declaration, a statement of the reason for the change of name.
 - where the applicant is required to provide their birth certificate and they rely on the registration of either a parent whose name in the register is not the same as the name of that parent as given in either the applicant's birth certificate or in the declaration or a guardian whose name in the register is not the same as the name of that guardian as given in the declaration, a statement of the name of the parent or guardian as given in the register and, where known, the reason for the change or, as the case may be, changes of name or, where such reason (or reasons) is not known, a statement to that effect.
- If they have been previously registered as an overseas elector and have not, since being so registered, been registered in such a register by virtue of being resident or treated for the purposes of registration as resident at an address in the United Kingdom, a statement of those facts and indicate when they were last registered as an overseas elector.
- If they have never made an overseas declaration before or if they have not made such a declaration since being registered by virtue of being resident or treated for the purposes of registration as resident at an address in the United Kingdom:
 - if they have a British passport which describes their national status as 'British citizen', the number, date and place of issue of that passport
 - if they do not have such a passport, but were born in the UK before 1 January 1983, a statement to that effect
 - if they do not have such a passport and were not born in the UK before 1 January 1983, a statement of when and how they acquired British citizenship, together with the date, place and country of their birth.

7.15 A declaration may not specify more than one UK address. Where more than one declaration bearing the same date is made specifying different addresses in the UK, the declarations will be void.

Calculating the 15-year period

Electors who are (or were) included in a register of Parliamentary electors before they left the UK

7.16 The 15-year period begins from the last day that the elector was last on a register of electors in the UK, either as an ordinary elector or as a service voter, i.e. the last day on which the person was on the register before they were removed. The date the elector left the UK is irrelevant.

7.17 The applicant's application/declaration is deemed to be made on the date that it is dated. If both the application and declaration are dated within 15 years of the last date the applicant appeared on a register, the 15-year requirement will be met.

Electors who were too young to be included on a register of electors when they left the UK

7.18 If someone was too young to have registered before they left the UK (including as an attainer), the 15-year period begins from the date they claim to have left the UK.

Acknowledging applications

7.19 As with ordinary applications not made in response to an invitation to register, you must acknowledge the receipt of an application by sending an acknowledgement in writing to the contact address provided on the application form.

Processing of applications and declarations

7.20 All applications and declarations should be processed and the applicant's identity verified as soon as possible after receipt. If you receive an application where the qualifying address falls outside your area it should be forwarded to the relevant ERO without delay.

7.21 If you have determined that they are entitled to be registered, you should consider confirming their registration and use that opportunity to confirm any postal or proxy arrangements that are in place. If you have rejected an application, you must notify the applicant and inform them of the reasons why.



General guidance on absent voting processes can be found in [Part 5: 'Absent voting'](#).

Inclusion on the register

7.22 Overseas electors should be listed as ‘other electors’ at the end of each relevant part of the register and entries must be shown without an address. They must be grouped in alphabetical order together with any service voters and persons registered by making a declaration of local connection. All overseas electors must have the letter F prefixed before their name, unless they are a member of the House of Lords. In this case, the letter E should be placed against their name.

Lists of overseas electors

7.23 You must keep a separate list or lists of overseas electors for your area. It must be compiled in alphabetical order by surname within each constituency or part of a constituency within your area. It must specify both the qualifying address and the full address outside the UK of each overseas elector. You must publish this list after the publication of the revised register and must make it available for inspection and supply, as appropriate. For guidance on access and supply of overseas elector lists, see [Chapter 12: Access and supply](#).

Validity of overseas declarations

7.24 An overseas declaration for overseas electors or their spouses or civil partners is valid for twelve months. Registrations can be removed earlier in the following circumstances:

- cancellation by the elector
- you determine that the person is not entitled to be registered
- you determine that the person was registered, or that their entry was altered, as a result of an application made by another person (i.e. not the individual whose details are provided on the application and who has declared that the information provided is true)
- if another entry is made in respect of the elector in any register of electors



For guidance on removing an elector from the register, see [Chapter 9: Deletions](#).

7.25 Where you receive a declaration later than three months after it is dated, it must be rejected. The applicant should be informed and invited to submit a fresh declaration.

7.26 An overseas voter may cancel their declaration at any time. The cancellation of an overseas declaration will cancel any postal or proxy voting arrangement

made in connection with that declaration even if the elector makes an application to register as an ordinary elector at the same qualifying address.

Renewal of overseas declarations

7.27 Where a person is registered as an overseas elector they are entitled to remain registered until the end of the 12-month period beginning with the date when the entry first takes effect provided the other conditions for registration remain satisfied.

7.28 You are required to remind every overseas elector of the need to make a fresh declaration if they wish to remain registered as an overseas elector. The reminder should include a declaration for the overseas elector to complete.

7.29 The reminder must be sent between 9 and 10 months after the date when the overseas entry first takes effect. From 9 December 2014, you are required to send a second reminder to overseas electors to let them know that their declaration is about to expire. This second reminder must be sent not less than 21 days and not more than 28 days after sending the first reminder. You will need to maintain a record showing when reminders are due to be sent.

7.30 Reminders must not be sent where you have received information that the person is no longer entitled to make the relevant declaration or no longer wishes to be registered as an overseas elector..

7.31 Where a declaration is not renewed within the 12-month period and the person is removed from the register, they will also lose any postal or proxy voting arrangement they had in place.



Guidance on providing notification of loss of entitlement to an absent vote can be found in [Part 5: 'Absent voting'](#).

HM Forces service voters

Who may register?

7.32 A member of HM Forces and their spouse or civil partner may register as a service voter.¹⁵ A member of HM Forces is a person serving on full pay as a member of any of the naval, military or air forces of the Crown raised in the UK. Members of HM Forces qualify to register as a service voter – although they may

¹⁵ The Scottish Government have enabled eligible children who will be 16 or 17 on 18 September 2014 and are living somewhere with a parent or guardian who is a service voter to also register as service voters for the Scottish referendum.

also choose in certain circumstances to make a registration application as an ordinary elector.

7.33 The following do not qualify as an HM Forces service voter:

- persons serving only as a member of a reserve or auxiliary force (except those serving during a period of emergency)
- members of the regular army required, by the terms of their service, to serve in Northern Ireland only

7.34 Each unit of the services has designated one member of staff to be a Unit Registration Officer (URO) and each base commander has been asked to give assistance to the URO and other personnel in their unit to promote participation in the electoral process.¹⁶ The responsibilities of the URO include providing information to service personnel and their dependants and acting as a liaison between the unit and local EROs.

7.35 Where you have any military establishments in your area you should make contact with the UROs. If any problems occur with the registration of service personnel you should raise these issues with the URO of the unit in the first instance. It should now be possible for you to contact a URO in any location, including overseas. To ascertain who the URO is for any particular unit, the Ministry of Defence recommends contacting the unit directly, initially through directory enquiries, and then asking for information about the URO from:

- Royal Navy – First Lieutenant's office
- Army – Adjutant's office
- RAF – OC PSF (Officer Commanding Personnel Services Flight)

Registration of HM Forces service voters who are qualifying Commonwealth citizens

7.36 A service declaration must state the address where the applicant is living in the UK or, if they are living abroad because of their service, where they would have been living in the UK but for their service abroad. If they cannot give any such address, they must give an address at which they have lived in the UK.

7.37 Service personnel who are qualifying Commonwealth citizens, who have been recruited to the services in their country of origin or outside the UK without previously being resident in the UK, but who receive their training in the UK and are then immediately posted overseas may register at:

- the address of the barracks where they were enlisted and/or did their training

¹⁶ A unit could be a base, ship, depot, barracks, etc.

- a barracks where they were or would be resident if they were not posted abroad
- their regimental headquarters where they may have been resident
- an address in the UK where they would be resident were they no longer in the forces or not required to be resident in barracks, such as a relative's address

Contents of an HM forces application under IER

7.38 An application to register as an HM forces service voter must contain all of the following:

- The applicant's full name, and any previous name by which they have been known within 12 months before the date of the application.
- Their correspondence address or British Forces Post Office (BFPO) number.
- Any address where the applicant has ceased to reside in the 12 months prior to the date of the application and, where that address is not in the UK, an indication of whether that person was registered as an overseas elector during this period.
- An indication of whether the applicant is resident at any other address, including any address where the applicant is currently registered and claims to be entitled to remain registered.
- The applicant's date of birth (except where a person is unable to provide this information).
- The applicant's National Insurance Number (except where a person is unable to provide this information).
- The applicant's nationality or nationalities.
- An indication of whether the applicant requests their name to be omitted from the edited register.
- If an application is also an application to change a person's name, that fact.
- A declaration that the contents of the application are true.
- The date of the application.
- The appropriate declaration.

7.39 An HM Forces service declaration must state:

- the date of declaration
- the applicant's full name and address
- that on that date the applicant is, or but for the circumstances entitling that person to make the declaration would have been, residing in the UK
- the address where the applicant is, or, as the case may be, would have been residing in the UK, or if they cannot give such an address, an address at which they have resided in the UK

- that on the date of the declaration the applicant is a qualifying Commonwealth citizen, a citizen of the Republic of Ireland or a citizen of a member state of the European Union
- whether the applicant had on the date of the declaration attained the age of 18 years and, if they had not, their date of birth
- the grounds on which a service qualification is claimed
- information relating to the service in which they serve (whether naval, military or air forces), their rank and service number

Acknowledging applications

7.40 As with ordinary applications not made in response to an invitation to register, you must acknowledge the receipt of an application by sending an acknowledgement in writing to the contact address provided on the application form.

Processing of applications and declarations

7.41 All applications and declarations should be processed and the applicant's identity verified as soon as possible after receipt. If you receive an application where the qualifying address falls outside your area it should be forwarded to the relevant ERO without delay.

7.42 If you have determined that they are entitled to be registered, you should consider confirming their registration and use that opportunity to confirm any postal or proxy arrangements that are in place. If you have rejected an application, you must notify the applicant and inform them of the reasons why.



General guidance on absent voting processes can be found in [Part 5: 'Absent voting'](#).

Inclusion on the register

7.43 HM Forces service voters should not be listed as 'other electors' as a matter of course, but only when they no longer have a connection to their qualifying address other than the fact that they once lived there. Some service voters will be either living at their qualifying address or would be living there were it not for the fact that they were stationed elsewhere because of their employment in the services. In such cases, the elector's details must be shown in the main body of the register, in the same way as those of ordinary electors.

7.44 HM Forces service voters should only be listed as 'other electors' with no address if the service voter's declaration has given an address at which they have

resided, but it is not an address at which they are or would be residing but for their particular circumstances.

7.45 Where service voters have given the qualifying address in their declaration as that at which they have previously resided, their names are to be listed in alphabetical order at the end of the relevant polling district of the register beneath the 'other electors' heading. The entry will show their name and elector number but not their address.

Validity of service declarations

7.46 A service declaration for members of HM Forces or their spouses or civil partners is valid for five years. Registrations can be removed earlier in the following circumstances:

- cancellation by the elector
- you determine that the person is not entitled to be registered
- you determine that the person was registered, or that their entry was altered, as a result of an application made by another person (i.e. not the individual whose details are provided on the application and who has declared that the information provided is true)
- if another entry is made in respect of the elector in any register of electors



For guidance on removing an elector from the register, see [Chapter 9: Deletions](#).

7.47 A service declaration received later than three months after it is dated must be rejected. The applicant should be informed and invited to submit a fresh declaration.

7.48 A service voter may cancel their declaration at any time. The cancellation of a service declaration will cancel any postal or proxy voting arrangement made in connection with that declaration even if the elector makes an application to register as an ordinary elector at the same qualifying address.

Renewal of service declarations

7.49 Where a person is registered as an HM Forces service voter they are entitled to remain registered until the end of the five-year period beginning with the date when the entry first takes effect provided the elector continues to satisfy the other conditions for registration during this period.

7.50 You are required to remind every service voter of the need to make a fresh declaration if they wish to remain registered as a service voter. This should include a new declaration for the service voter to complete.

7.51 The reminder must be sent between 57 and 58 months after the date when the service entry first takes effect. From 9 December 2014, you are required to send a second reminder to service voters to let them know that their declaration is about to expire. This second reminder must be sent not less than 21 days and not more than 28 days after sending the first reminder.

7.52 Reminders must not be sent where you have received information that the person is no longer entitled to make the relevant declaration or no longer wishes to be registered as a service voter. You will need to maintain a record showing when reminders are due to be sent to service voters. Computer systems should be capable of recording such information and producing reminders for relevant electors on a monthly basis.

7.53 Where a declaration is not renewed within the five-year period and the person is removed from the register, they will also lose any postal or proxy voting arrangement they had in place.



Guidance on providing notification of loss of entitlement to an absent vote can be found in [Part 5: 'Absent voting'](#).

Crown servants and British Council employees service voters

Who may register?

7.54 Crown servants and British Council employees who are abroad and their spouse or civil partner who is accompanying them can be registered at any time as a service voter¹⁷ – although they may also choose in certain circumstances to make a registration application as an ordinary elector.

7.55 However, spouses and civil partners of Crown servants and British Council employees who are themselves in the UK do not qualify for this type of registration.

¹⁷ The Scottish Government have enabled eligible children who will be 16 or 17 on 18 September 2014 and are living somewhere with a parent or guardian who is a service voter to also register as service voters for the Scottish referendum.

Contents of a Crown servant or British Council employee application under IER

7.56 An application to register as a service voter must contain all of the following:

- The applicant's full name, and any previous name by which they have been known within 12 months before the date of the application.
- Their correspondence address.
- Any address where the applicant has ceased to reside in the 12 months prior to the date of the application and, where that address is not in the UK, an indication of whether that person was registered as an overseas elector during this period.
- An indication of whether the applicant is resident at any other address, including any address where the applicant is currently registered and claims to be entitled to remain registered.
- The applicant's date of birth (except where a person is unable to provide this information).
- The applicant's National Insurance Number (except where a person is unable to provide this information).
- The applicant's nationality or nationalities.
- An indication of whether the applicant requests their name to be omitted from the edited register.
- If an application is also an application to change a person's name, that fact.
- A declaration that the contents of the application are true.
- The date of the application.
- The appropriate declaration.

7.57 Their service declaration must state:

- the date of declaration
- the applicant's full name and address
- that on that date the applicant is, or but for the circumstances entitling that person to make the declaration would have been, residing in the UK
- the address where the applicant is, or, as the case may be, would have been residing in the UK, or if they cannot give such an address, an address at which they have resided in the UK
- that on the date of the declaration the applicant is a qualifying Commonwealth citizen, a citizen of the Republic of Ireland or a citizen of a member state of the European Union
- whether the applicant had on the date of the declaration attained the age of 18 years and, if they had not, their date of birth
- the grounds on which a service qualification is claimed
- information relating to their job: their staff, payroll or other identifying number and, for Crown servants, the department in which they work and their position; and for British Council employees, a description of their post.

7.58 From 9 December 2014, the declaration made by Crown Servants and British Council employees no longer has to be sent via their employer; instead they are now required to provide a staff/payroll/other identifying number as part of their declaration. This means that Crown Servant and British Council employees will be able to complete the registration process online.



To enable the staff/payroll/other identifying number to be checked, the Cabinet Office have provided contact details for the government departments that most frequently send their staff abroad. You can access these contact details on the Cabinet Office portal:

<https://ertp.cabinetoffice.gov.uk/>

Acknowledging applications

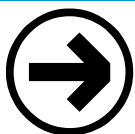
7.59 As with ordinary applications not made in response to an invitation to register, you must acknowledge the receipt of an application by sending an acknowledgement in writing to the contact address provided on the application form.

Processing of applications and declarations

7.60 All applications and declarations should be processed and the applicant's identity verified as soon as possible after receipt. If you receive an application

where the qualifying address falls outside your area it should be forwarded to the relevant ERO without delay.

7.61 If you have determined that they are entitled to be registered, you should consider confirming their registration and use that opportunity to confirm any postal or proxy arrangements that are in place. If you have rejected an application, you must notify the applicant and inform them of the reasons why.



General guidance on absent voting processes can be found in [Part 5: 'Absent voting'](#).

Inclusion on the register

7.62 Crown servant and British Council employee service voters should not be listed as 'other electors' as a matter of course, but only when they no longer have a connection to their qualifying address other than the fact that they once lived there. Some service voters will be either living at their qualifying address or would be living there were it not for the fact that they were stationed elsewhere because of their employment in the services. In such cases, the elector's details must be shown in the main body of the register, in the same way as those of ordinary electors.

7.63 Their details should only be listed as 'other electors' with no address if the service voter's declaration has given an address at which they have resided, but it is not an address at which they are or would be residing but for their particular circumstances.

7.64 Where service voters have given the qualifying address in their declaration as that at which they have previously resided, their names are to be listed in alphabetical order at the end of the relevant polling district of the register beneath the 'other electors' heading. The entry will show their name and elector number but not their address.

Validity of service declarations for Crown servants and British Council employees

7.65 A service declaration for Crown servants, British Council employees, or their spouses or civil partners is valid for twelve months. Registrations can be removed earlier in the following circumstances:

- cancellation by the elector
- you determine that the person is not entitled to be registered
- you determine that the person was registered, or that their entry was altered, as a result of an application made by another person (i.e. not the

individual whose details are provided on the application and who has declared that the information provided is true)

- if another entry is made in respect of the elector in any register of electors



For guidance on removing an elector from the register, see [Chapter 9: Deletions](#).

7.66 Where you receive a declaration later than three months after it is dated, it must be rejected. The applicant should be informed and invited to submit a fresh declaration.

7.67 A service voter may cancel their declaration at any time. The cancellation of a service declaration will cancel any postal or proxy voting arrangement made in connection with that declaration even if the elector makes an application to register as an ordinary elector at the same qualifying address.

Renewal of declarations

7.68 A Crown servant/British Council employee registered as a service voter is entitled to remain registered until the end of the 12-month period beginning with the date when their entry first takes effect provided the elector satisfies the other conditions for registration during this period.

7.69 You are required to remind them of the need to make a fresh declaration if they wish to remain registered as a service voter. The reminder should include a declaration for the service voter to complete.

7.70 The reminder must be sent between 9 and 10 months after the date when the overseas entry first takes effect. From 9 December 2014, you are required to send a second reminder to service voters to let them know that their declaration is about to expire. This second reminder must be sent not less than 21 days and not more than 28 days after sending the first reminder.

7.71 Reminders must not be sent where you have received information that the person is no longer entitled to make the relevant declaration or no longer wishes to be registered as a service voter. You will need to maintain a record showing when reminders are due to be sent.

7.72 Where a declaration is not renewed within the 12-month period and the person is removed from the register, they will also lose any postal or proxy voting arrangement they had in place.

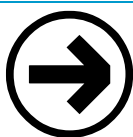


Guidance on providing notification of loss of entitlement to an absent vote can be found in [Part 5: 'Absent voting'](#).

Declarations of local connection

Who may register?

7.73 A person who does not have a fixed or permanent address may register at the place where they spend most of their time, or to which they have a local connection. They can do this by making a declaration of local connection.



[Part 2: 'The registration framework'](#) sets out in detail who can make a declaration of local connection.

Contents of declaration of local connection application under IER

7.74 An application to register by making a declaration of local connection must include all of the following:

- The applicant's full name, and any previous name by which they have been known within 12 months before the date of the application.
- The address in respect of which the applicant applies to be registered and at which they are resident on the date of the application.
- Any address where the applicant has ceased to reside in the 12 months prior to the date of the application and, where that address is not in the UK, an indication of whether that person was registered as an overseas elector during this period.
- An indication of whether the applicant is resident at any other address, including any address where the applicant is currently registered and claims to be entitled to remain registered.
- The applicant's date of birth (except where a person is unable to provide this information).
- The applicant's National Insurance Number (except where a person is unable to provide this information).
- An indication of whether the applicant requests their name to be omitted from the edited register.
- A declaration that the contents of the application are true.
- The date of the application.
- The appropriate declaration.

7.75 A declaration of local connection must be signed and dated by the applicant and state:

- the date of the declaration
- the applicant's name in full
- the address to which correspondence for them can be delivered or a statement confirming that they are willing to collect correspondence from the ERO
- the category in which their declaration falls, e.g. mental health patient, remand prisoner or person of no fixed address
- in the case of a person of no fixed address, the address of, or near, a place where they commonly spend a substantial part of their time
- in the case of a prisoner on remand making a declaration of local connection, the name and address of the place where they are detained, as well as the address at which they would be residing if they were not detained. If they are unable to give such an address, an address at which they have previously resided.
- In the case of a mental health patient making a declaration of local connection, the name and address of the mental hospital, as well as the address at which they would be residing if they were not a patient. If they are unable to give such an address, an address at which they have previously resided.
- that they have attained 18 years of age or if not their date of birth
- that they are a Commonwealth citizen or a citizen of the Republic of Ireland or a citizen of a European Union member state

7.76 At a by-election to the UK Parliament, Scottish Parliament or the National Assembly for Wales, any declaration of local connection made by a homeless person received during the period from the date of the vacancy to the close of nominations must include a statement that the applicant has spent a substantial part of time during the past three months at or near to the address at which they claim to be entitled to be registered.

7.77 If a person makes a declaration of local connection stating more than one address or makes more than one declaration on the same date and stating different addresses, the declaration or declarations will be void.

Acknowledging applications

7.78 As with ordinary applications not made in response to an invitation to register, you must acknowledge the receipt of an application by sending an acknowledgement in writing to the contact address provided on the application form.

Processing of applications and declarations

7.79 All applications and declarations should be processed and the applicant's identity verified as soon as possible after receipt. If there is no reason to ask for evidence of age or nationality or more information on any other registration matter the application should be determined before the next determination deadline.

7.80 All applications and declarations should be processed as soon as possible after receipt and the applicant's identity verified. If you receive an application where the qualifying address falls outside your area it should be forwarded to the relevant ERO without delay.

7.81 If you have determined that they are entitled to be registered, you should consider confirming their registration and use that opportunity to confirm any postal or proxy arrangements that are in place. If you have rejected an application, you must notify the applicant and inform them of the reasons why.

Inclusion on the register

7.82 All persons registered through a declaration of local connection must be included at the end of each relevant part of the register under the heading 'other electors' without an address. Their names are to be included in alphabetical order, grouped together with any service voters and overseas electors, but before any anonymously registered electors.

Validity of declarations of local connection

7.83 A declaration of local connection is valid for 12 months from the date when the entry on the register first takes effect. Registrations can be removed earlier in the following circumstances:

- cancellation by the elector
- you determine that the person is not entitled to be registered
- you determine that the person was registered, or that their entry was altered, as a result of an application made by another person (i.e. not the individual whose details are provided on the application and who has declared that the information provided is true)
- if another entry is made in respect of the elector in any register of electors



For guidance on removing an elector from the register, see [Chapter 9: Deletions](#).

7.84 Where you receive a declaration later than three months after it is dated, it must be rejected. The applicant should be informed and invited to submit a fresh declaration.

Renewal of declarations

7.85 Where a person is registered through a declaration of local connection they are entitled to remain registered until the end of the 12-month period beginning with the date when the entry first takes effect provided the other conditions for registration remain satisfied.

7.86 You are required to remind the elector of the need to make a fresh declaration if they wish to remain registered. The reminder should include a declaration for the elector to complete.

7.87 The reminder must be sent between 9 and 10 months after the date when the overseas entry first takes effect. From 9 December 2014, you are required to send a second reminder to electors who are registered through a declaration of local connection to let them know that their declaration is about to expire. This second reminder must be sent not less than 21 days and not more than 28 days after sending the first reminder.

7.88 Reminders must not be sent where you have received information that the person is no longer entitled to make the relevant declaration. You will need to maintain a record showing when reminders are due to be sent.

7.89 Where a declaration is not renewed within the 12-month period and the person is removed from the register, they will also lose any postal or proxy voting arrangement they had in place.



Guidance on providing notification of loss of entitlement to an absent vote can be found in [Part 5: 'Absent voting'](#).

7.90 You should consider the most appropriate method of obtaining a renewal from those who have registered through a declaration of local connection. It may be appropriate, in addition to simply sending a renewal notice by post, to make a personal visit to ensure the reminder and declaration reaches the elector.

Anonymous registration

Who may register?

7.91 Anonymous registration is available to those electors whose safety would be at risk if their name or address were listed on the electoral register. Any other

person in the same household as a person at risk is also qualified to register as an anonymous elector and may therefore also apply for anonymous registration if they wish.

7.92 You should consider which establishments or properties, such as refuges, should receive anonymous registration forms and additional information as part of your duty to maintain the register. Registration application forms could be sent with a note explaining what anonymous registration is and how people can apply.

7.93 There may be circumstances where a returned HEF may include a note from a potential elector asking for more privacy with a reason that may satisfy the requirements for anonymous registration. An anonymous registration application should then be sent and the person should be told that others in the household may also be entitled to register anonymously.

7.94 Anonymous registration does not affect any other special category elector entitlement and can be combined. For example, a person may be an anonymous elector with a local connection or an anonymous service voter if they meet the qualification for both registrations.

Contents of application under IER

7.95 Applicants for anonymous registration must include the following as part of their application for registration:

- The applicant's full name and any previous name by which they have been known within 12 months before the date of the application.
- The address where the applicant is resident on the date of the application and in respect of which they are applying to be registered
- Any address where the applicant has ceased to reside in the 12 months prior to the date of the application and, where that address is not in the UK, an indication of whether that person was registered as an overseas elector during this period.
- An indication of whether the applicant is resident at any other address, including any address where the applicant is currently registered and claims to be entitled to remain registered.
- The applicant's date of birth (except where a person is unable to provide this information).
- The applicant's National Insurance Number (except where a person is unable to provide this information).
- The applicant's nationality or nationalities.
- An indication of whether the applicant requests their name to be omitted from the edited register.
- A declaration that the contents of the application are true.
- The date of the application.
- If the application is accompanied by an application for anonymous registration, that fact.

7.96 An application for anonymous registration must be in writing. It must be signed and dated by the applicant and must contain:

- the applicant's full name
- their address
- the reason for their application
- evidence to support their application (a court document or an attestation as described below)
- if the applicant is someone who lives in the same household as someone whose safety would be at risk, evidence that the applicant lives in the same household as that person. Evidence could be a utility bill, bank statement, photocard driving licence, etc.
- if the applicant is someone who lives in the same household as someone whose safety would be at risk, evidence that that person's safety would be at risk
- a declaration that:
 - the evidence to support their application is genuine so far as the applicant is aware
 - if it is someone who lives in the same household, the person to whom the evidence relates lives in the same household and that, as far as they are aware, the evidence is genuine
 - the other information given is true

7.97 All applicants must be able to satisfy you that their safety or that of any other person in the same household would be at risk if their details were made public. Documentary evidence or an attestation must be provided in support of the application.

7.98 You should not involve yourself in the personal circumstances of applicants and your decisions should only rely on the accompanying documents. You should be satisfied that documents provided in support of an application are genuine.

7.99 Anonymously registered electors are entitled to submit a correspondence address which must be used for all future registration correspondence if given.

Types of documents and attestation

7.100 The application must also be accompanied by either a court order or an attestation.

7.101 Any court order or injunction must be for the protection or the benefit of the applicant or another person of the same household. The order must also be in force on the day of the application, but need not be for the whole 12-month period of registration. An order ceasing to be in force during the 12-month period of registration does not reduce or otherwise affect the length of registration. A copy rather than the original of any court document being relied on is acceptable.

7.102 The eligible court documents are:

- an injunction for the purpose of restraining a person from pursuing any conduct which amounts to harassment granted in proceedings under Section 3 of the Protection from Harassment Act 1997 or under article 5 of the Protection from Harassment (Northern Ireland) Order 1997
- an injunction granted under Section 3A(2) of the Protection from Harassment Act 1997
- a restraining order made under Section 5(1) of the Protection from Harassment Act 1997, or under article 7 of the Protection from Harassment (Northern Ireland) Order 1997
- a restraining order on acquittal made under Section 5A(1) of the Protection from Harassment Act 1997, or under article 7A(1) of the Protection from Harassment (Northern Ireland) Order 1997
- a non-harassment order made, interdict or interim interdict made under Section 8 or 8A of the Protection from Harassment Act 1997
- a non-harassment order made under Section 234A(2) of the Criminal Procedure (Scotland) Act 1995
- a non-molestation order made under Section 42(2) of the Family Law Act 1996, or under article 20(2) of the Family Homes and Domestic Violence (Northern Ireland) Order 1998
- a matrimonial interdict within the meaning of Section 14 of the Matrimonial Homes (Family Protection) (Scotland) Act 1981
- a domestic interdict within the meaning of Section 18A of the Matrimonial Homes (Family Protection) (Scotland) Act 1981
- a relevant interdict within the meaning of Section 113 of the Civil Partnership Act 2004
- an interdict that has been determined to be a domestic abuse interdict within the meaning of Section 3 of the Domestic Abuse (Scotland) Act 2011
- any interdict with an attached power of arrest made under Section 1 of the Protection from Abuse (Scotland) Act 2001
- a forced marriage protection order or interim forced marriage protection order made under Part 4A of the Family Law Act 1996, or under Section 2 of, and paragraph 1 of Schedule 1 to, the Forced Marriage (Civil Protection) Act 2007, or under Section 1 or Section 5 of the Forced Marriage etc. (Protection and Jurisdiction) (Scotland) Act 2011

7.103 If an attestation is used it must certify that if the name or address were on the register the applicant's or another member of the same household's 'safety would be at risk'. Attestations must be in writing and must be signed and dated by a qualifying officer. The period of the attestation begins on the date stated and lasts for a period of between one and five years. The actual length must be stated within the attestation.

7.104 The qualifying officers who may attest are:

- a police officer of or above the rank of superintendent of any police force in the UK
- the Director General of the Security Service or the Serious Organised Crime Agency
- a director of adult social services or children's services in England or a director of social services in Wales
- any chief social work officer in Scotland
- any director of social services of a Health and Social Services Board or executive director of social work of a Health and Social Services Trust in Northern Ireland

7.105 You should consider contacting any relevant directors and chief officers to alert them to their powers under the anonymous registration process. They may wish to be aware of their attestation powers and any guidance that their representative groups have given on dealing with requests for attestation. They may also know of establishments (such as refuges) where people who may qualify for anonymous registration visit or are resident.

7.106 The attestation can come from one of the qualifying officers from a different area than that in which the elector now lives and is registering. This may often be the case where the applicant has moved to a new area to set up home away from the cause of the risk to their safety. For example, an attestation from one English local authority director of children's services is valid in every local authority area in Great Britain.

7.107 The attestation cannot be delegated from a qualifying officer to a more junior person within their organisation.

Acknowledging applications

7.108 As with ordinary applications not made in response to an invitation to register, you must acknowledge the receipt of an application by sending an acknowledgement in writing to the contact address provided on the application form.

Processing of applications

7.109 Applications should be processed and the applicant's identity verified as soon as possible after receipt. If you receive an application where the qualifying address falls outside your area it should be forwarded to the relevant ERO without delay.

7.110 These applications do not have the same type of public scrutiny as other electoral registration applications as people may not inspect the name and address supplied by an applicant for anonymous registration. You should

therefore be proactive in being satisfied that all the requirements for registration are met.

7.111 Where the qualifying address is not in your area, the application should be forwarded to the relevant ERO without delay.

7.112 Anonymous registration application details such as name and address are not added to the lists of applications. Anonymous applications are not available for public inspection at any time.

7.113 When an anonymous application is received, all previous 'ordinary' applications either awaiting determination or determined but not added to the register for that individual are suspended until the anonymous application is determined. If the anonymous application is rejected, then all pending applications for registration must be disregarded. If the anonymous registration application is rejected, they cannot be added as an ordinary elector.

7.114 If you have determined that they are entitled to be registered anonymously, you should consider confirming their registration and use that opportunity to confirm any postal or proxy arrangements that are in place. If a person already has an entry on the register and an anonymous application is accepted, the ordinary register entry must be removed and the anonymous registration added. However, the existing entry must not be removed until the anonymous application is accepted.

7.115 If you have rejected an application, you must notify the applicant and inform them of the reasons why.

7.116 The details of a person who has made an application to register anonymously must not be added to the register if the anonymous part of the application fails. However, you should encourage them to submit an ordinary registration application and invite them to register. If they do not submit an application in response to an invitation, you may require them to submit an application to register, but you should consider the individual's particular circumstances before issuing a 'requirement to register' notice.

Deadlines for adding anonymously registered electors to the register

7.117 The deadlines for anonymous applications are different from those for ordinary registration applications as there is no requirement for a five-day objections period for anonymous applicants. This is because their applications cannot be objected to.

7.118 The deadlines for receiving and determining anonymous registration applications are as follows:

- For being added to a monthly notice of alteration: 14 calendar days before the publication of the notice
- For being added to the final election notice of alteration: 6 working days before polling day
- For being added to the revised register following the canvass: the last day of the month prior to the month when the revised register is published (i.e. 30 November where the register is published on 1 December)
- For being added to a revised register published at any other time: 14 calendar days before the end of the month preceding the month when the revised register is due to be published

Inclusion on the register and record of anonymous entries

7.119 All persons registered anonymously must be included at the end of each relevant part of the register under the heading 'other electors' without a name or address. The entry for each anonymously registered elector must consist of their elector number and the letter 'N'.

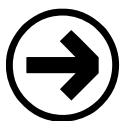
7.120 Anonymous entries must not be included in the edited register and all anonymous electors are automatically opted out.

7.121 You must also keep a separate list – the record of anonymous entries. This will contain the elector number, full name, qualifying address, correspondence address (if any) and the date that the registration first took effect. If the person has a postal vote, the delivery address must also be kept on the record. You should ensure that the list is kept secure and prevent any unauthorised access.

7.122 Only the following persons and organisations are entitled to have access to the record of anonymous entries:

- Returning Officers and referendum Counting Officers
- In England and Wales, the Jury Service
- The security services, including GCHQ
- The police (including the National Crime Agency)

7.123 When a person is entered in the record, you will need to issue a 'certificate of anonymous registration'. This must state the local authority area for which you are responsible, the elector's name, qualifying address, electoral number and the date on which the registration took effect. It must also state that the registration will end no later than 12 months from that date if no renewal of registration is made.



You will be able to download a template certificate of anonymous registration from [our website](#).

Absent voting lists

7.124 The absent voting lists must, for anonymous electors and their proxies, contain only the electoral number and the period for which the absent vote is in effect, but not any address. At an election, the copy of the absent voting lists to enable postal vote issuing and marking the return of postal votes contains only the electoral number. The address to which the ballot pack will be sent must not be on that list and all correspondence must be sent in an unidentifiable envelope

Validity of registration

7.125 Registration lasts for 12 months from the day the anonymous entry is first made on the register. Anonymous registrations can be removed earlier in the following circumstances:

- cancellation by the elector
- you determine that the person is not entitled to be registered
- you determine that the person was registered, or that their entry was altered, as a result of an application made by another person (i.e. not the individual whose details are provided on the application and who has declared that the information provided is true)



For guidance on removing an elector from the register, see [Chapter 9: Deletions](#).

7.126 You must send a reminder between 9 and 10 months after the date of first registration (and each anniversary). The reminder must explain that a new application must be made and, if the elector wants to remain registered anonymously, must be accompanied by a new application for an anonymous entry.

7.127 Registration can be renewed annually for another 12-month period. Renewals must contain the same level of evidence as original applications. Applicants should therefore be advised to keep a copy of attestations or copies of court documents for subsequent applications. You should offer to copy any originals so that they can be returned and the copy kept for reference. If the elector loses their supporting documents, provided you have the appropriate safeguards in place, you could supply a copy of any document or attestation which is still in force to assist with any renewal.

7.128 Anonymous entries can be subject to the review procedures. Further consideration of the review process is contained [in Chapter 10: Reviews, objections and hearings](#). The name and address of the person is not entered on the list of persons under review.

Donations to registered political parties by anonymously registered electors

7.129 Anonymously registered individuals can donate to registered political parties but they must provide the party with a copy of their certificate of anonymous registration as proof of eligibility. A registered political party may ask you to confirm the validity of any certificate. The elector details cannot be confirmed but you may wish to confirm the format of their certificate and that the electoral number on that certificate matches the register entry for an anonymous elector.

Prisoners on remand and patients in mental hospitals



Further guidance on the options that prisoners on remand and patients in mental hospitals have for registering is included in [Part 2: 'The registration framework'](#).

Applications

7.130 Prisoners on remand and patients in mental hospitals who are registered at their place of custody or hospital must supply the same information as for an ordinary application (see paragraph [4.2](#)).

7.131 As with ordinary applications not made in response to an invitation to register, you must acknowledge the receipt of an application by sending an acknowledgement in writing to the contact address provided on the application form.

7.132 If you have determined that they are entitled to be registered, you should consider confirming their registration and use that opportunity to confirm any postal or proxy arrangements that are in place. If you have rejected an application, you must notify the applicant and inform them of the reasons why.

Validity of registration

7.133 Registration of these electors lasts for 12 months from the day the entry is made on the register. Registrations can be removed earlier in the following circumstances:

- cancellation by the elector
- you determine that the person is not entitled to be registered
- you determine that the person was registered, or that their entry was altered, as a result of an application made by another person
- if another entry is made in respect of the elector in any register of electors



For guidance on removing an elector from the register, see [Chapter 9: Deletions](#).

Ministerial guidance on special category electors

7.134 The Minister has issued guidance on the exceptions and attestations process for special category electors. Anonymous electors and persons registered under a declaration of local connection are not covered here – people who want to be registered as one of these types of special category elector and are unable to provide the identifiers must follow the same exceptions process and, if required, attestation process, as ordinary applicants.



Cabinet Office

Ministerial guidance

! This guidance has been issued by the Minister under article 7(9) of the Electoral Registration and Administration Act 2013 (Transitional Provisions) Order 2013.

EROs must, by law, have regard to this guidance.

12 The new rules for special category electors

The relevant legislative references on which this guidance is based are set out in Annex 1.

12.1 Exceptions/Attestation for special category electors

12.1.1 All special category electors whose personal identifiers cannot be matched against DWP data must provide some form of evidence as to their identity in order to be registered to vote.

12.1.2 Anonymous electors and declarations of local connection (any type) who fail the DWP match must provide documentary evidence or, if they cannot provide documentary evidence, an attestation in the same way as people applying to register as an ordinary elector (see sections 9 and 10).

12.1.3 All reference to the spouse of a Crown Servant, British Council Employee,

or member of the armed forces in this section should be taken to additionally refer to any civil partner of the above.

12.1.4 All correspondence between the ERO and applicants may be sent electronically. In addition, it is permissible for applicants to provide attestations or documentary evidence by electronic means such as a fax or scanned image.

12.1.5 The process for all other types of special category electors is as follows:

Crown Servants and their spouses, employees of the British Council and their spouses, and spouses of members of the armed forces

12.1.6 If a Crown Servant, British Council employee (or their spouse) or spouse of a member of the armed forces fails the DWP match, the ERO should write to them informing them of this and asking them to provide documentary evidence in support of their application as set out in 8.3.6.

12.1.7 This group of special category elector must provide the following:

Elector Type	Document	Certified by
Crown Servants and spouse	A copy of the information/ photograph page of their passport or both sides of their EEA identity card	Crown Servant, British Council employee, or officer of the armed forces who is not (in each case) the applicant's spouse
British Council employees and spouse		
Spouse of a member of the armed forces		

12.1.8 This is the only route available to this type of special category elector; applicants who will not or cannot provide this information cannot register to vote.

12.1.9 The ERO may wish to consider setting a deadline date for the applicant to respond; this will be helpful to the ERO when deciding to reject an application because no response has been received. The time given to applicants to respond is at the discretion of the ERO; however, it should allow the applicant reasonable time to return their documentary evidence. This is likely to be a longer period than for ordinary electors, as special category applicants may live overseas or not have easy access to their documentation.

Members of the armed forces

12.1.10 Members of the armed forces whose personal identifiers have failed the DWP match must provide an attestation as to their identity.

12.1.11 The ERO must write to the applicant informing them that it has not been possible to verify their identity and asking them to supply an attestation.

12.1.12 The attestation must:

- Be in writing;
- Confirm that the applicant is the person stated in the service voter's application;
- Be signed by an officer of the armed forces who is not spouse, parent, grandparent, brother, sister, child or grandchild of the applicant;
- State the full name, address and rank of the person signing the attestation and the service (whether naval, military or air forces) in which the attestor serves;
- State the date on which it is made.

12.1.13 In common with attestation for ordinary electors, the ERO may wish to create a form which contains the necessary legal statements and requirements for the attestation. Alternatively, the ERO may wish to set this detail out in the letter to the applicant. In all cases, the ERO must communicate the legislative requirements for an attestation as set out in regulation 26B.

12.1.14 Note that persons attesting armed forces applications do not have to be registered to vote and may attest an unlimited number of applications.

12.1.15 The ERO may wish to consider setting a deadline date for the applicant to respond; this will be helpful to the ERO when deciding to reject an application because no response has been received. The time given to applicants to respond is at the discretion of the ERO; however, it should allow the applicant reasonable time to source and return their attestation, bearing in mind that armed forces electors may be deployed to overseas locations.

Overseas electors

12.1.16 People who wish to register as overseas electors and who fail the DWP match must provide an attestation as to their identity.

12.1.17 The ERO must write to the applicant informing them that it has not been possible to verify their identity and asking them to supply an attestation.

12.1.18 The attestation must:

- Be in writing;
- Confirm that the applicant is the person stated on the overseas elector application;
- Be signed by a registered elector who is a British citizen living overseas and who is not the spouse, parent, grandparent, brother, sister, child or grandchild of the applicant;
- State the full name, address and occupation of the person signing the attestation;
- State the attestor's British passport number together with its date and place of issue;

- State the date on which the attestation is made.

12.1.19 In common with attestation for ordinary electors, the ERO may wish to create a form which contains the necessary legal statements and requirements for the attestation. Alternatively, the ERO may wish to set this detail out in the letter to the applicant. In all cases, the ERO must communicate the legislative requirements for an attestation as set out in regulation 26B.

12.1.20 The ERO may wish to consider setting a deadline date for the applicant to respond; this will be helpful to the ERO when deciding to reject an application because no response has been received. The time given to applicants to respond is at the discretion of the ERO; however, it should allow the applicant reasonable time to source and return their attestation. The ERO should consider whether to allow additional time for overseas electors, bearing in mind the distance the elector lives from the UK.

12.1.21 Note that persons attesting overseas applications should be a registered elector who is a British citizen living overseas and may attest an unlimited number of applications.

8 Amendments to existing entries

8.1 An elector's circumstances may change after they have been added to the register. For example, an elector may gain or lose a nationality that affects their franchise, or they may change their name.



Changes that are made by the elector on a pre-populated HEF and any follow-up actions you need to take are covered in [Part 3: 'The transition to IER in 2014/2015'](#).

Change of nationality

8.2 An elector who becomes a British citizen, a citizen of the Republic of Ireland or a citizen of another Commonwealth country but who was previously registered only in the register of local government electors must make a new application in order to be added to the register of UK Parliamentary electors. As this constitutes a new application, the elector's details will need to go through the whole application, verification and determination process again.

8.3 As part of your power to check local records, you should regularly inspect the lists held by the registrar holding citizenship ceremonies. These will have information on who has become a British citizen. Information on applying to register to vote should be given to the registrar to include in the pack they make available to those receiving British citizenship.

Change of name

8.4 An existing elector can apply to change their name on the register by submitting a completed change of name form.



We have designed a form for applications for a change of name. The form has been approved by the Lord President of the Council and is available on the Cabinet Office's web portal:
<https://ertp.cabinetoffice.gov.uk/>

8.5 If an elector applies to change their name, the request must be in writing and include:

- the applicant's full name
- the full name under which they are currently registered

- the date of the change of name
- the registration address
- a declaration by the applicant that the information provided in the application is true
- the date of the application

8.6 They are required to provide supporting evidence of the change, which should be a copy of one of the following:

- marriage or civil partnership certificate
- overseas marriage or civil partnership certificate if it has been deposited in the General Register Office for England & Wales, the General Register Office for Scotland or the General Register Office for Northern Ireland
- deed poll or amended birth certificate

8.7 Where you consider it appropriate, you may require the applicant to provide the original of the copy document after the application has been made. . .

8.8 If a person is unable to provide one of the documents outlined in paragraph 8.6 above, they must provide their date of birth and national insurance number as part of their application or, if they are not able to provide their date of birth or national insurance number, the reason why they are not able to do so.

8.9 As part of any checks you carry out of local records, you should inspect the records held by the registrar of births, deaths and marriages as these may alert you to a change of name of an existing elector. This information, in conjunction with information gained from other records, may alert you to a change of name. Where this is the case, you should contact the elector and alert them to the options that they have for changing their name.

Change of address

8.10 An elector can apply to change the address at which they are registered within the registration area by making a new application to register.

8.11 If you are notified on an application to register that the applicant has ceased to reside at another address in the same registration area, and the application at the new address is successful, you should amend the elector's entry to remove them from the register at their previous address. If the application is not successful you should proceed to the deletions process (see [Chapter 9: 'Deletions'](#)).

8.12 If you are notified directly by an elector of a change of address within the registration area you should provide them – and any other electors who have moved with them – with information about how to make an application. You

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should also make enquiries to establish whether there are other new residents, or whether any previous residents have moved out.

8.13 At this point, you have identified one or more electors who are not registered but who you believe are eligible to be registered, and so the invitation to register requirements apply.

Guidance on encouraging applications before giving an invitation is set out at paragraphs [2.18-2.22](#). Guidance on giving invitations to register is provided in Chapter 3: [Giving invitations to register](#).

9 Deletions

9.1 Under IER a person who is registered individually stays registered unless and until the ERO determines that:

- the person was not entitled to be registered in respect of the address
- the person has ceased to be resident at the address or has otherwise ceased to satisfy the conditions for registration
- the person was registered as the result of an application for registration made by someone else (i.e. not the individual whose details are provided on the application and who has declared that the information provided is true) or the person's entry has been altered as the result of an application for a change of name made by someone else

9.2 You are required by law to consider whether to make such a determination in respect of a person's entry on the register maintained by you if you become aware of information that causes you to suspect that one of the conditions in the list above may be met, or if you receive a valid objection to a person's registration.

9.3 Where you have determined that someone is no longer entitled to be registered, they must be deleted from the register.



Special provisions apply to special category electors. [Chapter 7: 'Special category electors'](#) contains guidance on managing the registration of these electors.

Deletions without a review

9.4 In the same way that a person cannot register by including their name on a HEF, an elector cannot be deleted based solely on a HEF response (such as an elector being crossed off or no response being received to the HEF).

9.5 In order to remove a person's entry from the register you must make a determination that they are no longer entitled to be registered (as set out in paragraph [9.2](#)). You may proceed to make this determination without any further evidence or review only in one or more of the following circumstances:

- you receive notification via the IER digital service that a person registered in your area has made an application for registration elsewhere and has indicated that they have ceased to reside at the address in your area, and the new ERO has allowed the application

- you receive notification from another ERO that a person registered in your area has made an application for registration elsewhere and has indicated that they have ceased to reside at the address in your area, and the new ERO has allowed the application
- you have been given a death certificate in respect of the elector
- the registrar of births and deaths has notified you that the elector has died
- you have information from at least two sources that supports a determination that a person is no longer entitled to be registered at the address in question

9.6 In all other circumstances you must carry out a review before deleting a person's entry on the register.

9.7 Deletions arising from the first four circumstances are dealt with in the same way regardless of when they arise. Deletions under the final circumstance will need to be considered during the write-out and canvass in light of the particular processes you will be undertaking, including sending HEFs.

Deletions supported by information from at least two sources

9.8 You may make a determination that a person's entitlement to be registered has ceased without carrying out a review where you receive two sources of information that support such a determination. However, even where you are in receipt of two sources of information which are consistent, you should nevertheless still be satisfied that a person is not entitled to be registered before you make such a determination. If you are in doubt as to whether a person's entitlement to remain registered has you still have the option of obtaining additional information, or carrying out a review, before making your determination.

9.9 The sources of information that you use in determining whether someone is no longer eligible to be registered should be robust and you should maintain a clear audit trail of the steps you have taken as part of the deletions process.

Information arising from engagement with potential new electors

9.10 You may receive information in response to invitations to register. This could include the following:

- information from another resident at the address notifying you that the elector is no longer resident
- information from someone else connected with the address, such as a landlord, notifying you that the elector is no longer resident
- an invitation to register sent to an existing elector being returned as undeliverable/return to sender/not at this address

9.11 Such information would count as **one** source of information. If this is supported by local data, such as the individual being removed from the council tax account at that address, then that would be information from a second source which could support a determination that the elector is no longer resident.

Other sources of information

9.12 If you have been provided with information from a source other than the elector themselves you can attempt to contact the elector directly including by phone, email or post to make enquiries. A lack of response to an attempt to make contact with the elector, such as a letter that is returned as undeliverable or indicating that the elector is no longer resident could be such a source of information. The information on which a decision to delete an entry without a review is based must, however, be from different sources. For example, two pieces of mail returned as undeliverable are unlikely to be information from two sources. In this case information from a different source would also be required before a determination could be made.



[Chapter 10: 'Reviews, objections and hearings'](#) contains guidance on carrying out reviews and deletions following a review.

Deletions where you have evidence that the elector is not eligible to remain registered

Notification that an elector is registered elsewhere

9.13 Once you are notified via the IER digital service or directly by another ERO that an elector who has an entry on the register for your electoral area has successfully registered in the other ERO's area and has on their application stated that they have ceased to reside in your area, you can delete that elector's entry on the register.

9.14 If you are otherwise notified that an elector has moved out of the area, including by the elector themselves, you cannot automatically delete that entry. You can only do so if you have information from another source to support such a determination or following a review. These situations are covered later in this chapter.



Paragraph [4.27](#) contains guidance on your responsibility to notify another ERO if an application states that the applicant's former address is in another registration area, and on the notifications you may receive via the IER digital service.

Change of address within the registration area

9.15 An elector can apply to change the address at which they are registered by making a new application to register. If you are notified on an application that an elector has ceased to reside at another address in the same registration area, and the application at the new address is successful, you should amend the elector's entry to remove them from the register at their previous address. If the application is not successful you should move to the deletions process.



Chapter 8 contains guidance on making amendments to existing entries.

Evidence that an elector has died

9.16 If you have been provided with a death certificate in respect of an elector or have been notified by the registrar of births and deaths that an elector has died, you should delete that elector's entry from the register without a review. You should bear in mind that a death must only be notified to the registrar responsible for the area in which the death occurred, and if an elector registered in your area dies elsewhere you are unlikely to receive formal notification.

9.17 If you are informed by someone, even the executor or family member of a person, that a person has died, that is only **one** source of information. You will of course need to take a sensitive approach where you have been notified that an elector has died. If you are not in receipt of a death certificate or registrar notice you could contact the registrar to obtain formal notification of the death, which would allow you delete the entry without further information or a review. Similarly you could request a copy of the death certificate from the person who notified you of the death. You could also check local records as a second source of information.

9.18 Where you are provided with a death certificate, or an official copy of a death certificate, you should make a copy and return the original.

Deleting an entry

9.19 Once you have determined that a person is no longer entitled to remain registered at the address in question you must remove their entry from the register.

9.20 When deletions take effect, will depend on when you have made your determination before the next update to the register:

Type of register update	Deadline for determining deletions
Monthly notice of alteration	14 calendar days before publication
Notices of election	the day before publication
Revised register following the canvass	the last working day of the month prior to the month when the revised register is published (i.e. 28 November where the register is published on 1 December)

9.21 Once you have given effect to a deletion you must send written confirmation of your determination to the elector (except in the case of an elector who has died). The written confirmation should set out the person's right of appeal against your decision to delete their entry from the register. However, you do not need to send written confirmation where the removal of an elector will take effect on publication of the revised register. This means that electors deleted during the canvass when there is no monthly notice of alteration, do not have to be sent written confirmation.

9.22 You should also consider whether to send a HEF to the property if you consider that this would enable you to identify electors you would not otherwise find out about.

Appeals

9.23 Where someone has been removed from the register, they have 14 calendar days beginning from the date of the decision to delete the person from the register.

9.24 The notice of appeal must be submitted to you and any other relevant party, together with the grounds of appeal. You must then forward the notice to the county court or in Scotland to the sheriff, which should be accompanied by:

- a statement of the material facts which, in your opinion, have been established in the case
- your decision on the whole case and on any point specified as a ground of appeal

9.25 Should you consider that any appeals are based on similar grounds, you must inform the appropriate county court, or the sheriff in Scotland, of this to enable the court or sheriff to consolidate the cases or select one as a test case.

Deletions following a review

9.26 If, having considered whether you can delete an entry without a review, you still have reason to believe that person's entitlement to remain registered may have ceased, you should carry out a review (see next chapter).

10 Reviews, objections and hearings

10.1 The process for determining applications, assessing the continued entitlement of an elector to remain registered and removing someone from the register may require dealing with reviews, hearings and objections.

10.2 There are circumstances where you can remove someone from the register without the need for a review. These are set out in [Chapter 9: Deletions](#).

Reviews

10.3 Registration reviews form an integral part of ensuring the register is as accurate as possible and you should monitor any local records you use to help you identify where electors are no longer resident at an address.

10.4 You have a duty to ensure that, far as is reasonably practicable, persons who are not entitled to be registered are not registered. This includes any ordinary, anonymous or other special category elector.

10.5 If the circumstances do not allow you to remove someone from the register without conducting a review first, you have a duty to undertake a review of the entry. You can also undertake a review at any other time where you have reason to believe someone may not be entitled to be registered or apply to be registered.

10.6 The following records will give you an indication whether someone is no longer resident at an address:

- **Council tax:** Council tax records may alert you to the fact that new residents have moved into a property and, consequently, that previous electors may have moved out.
- **Council tax reduction (formerly council tax benefit):** Records relating to those residents claiming council tax reduction may alert you to who else is living at their property and whether someone has moved out.
- **Housing:** housing records where the council maintains the housing stock directly can be compared against each other for changes to the list of tenants.
- **Register of households in multiple occupation (HMOs):** You should consider inspecting these records and consequently making contact with landlords or managing agents for information about their tenants; although it may be difficult for them to provide all the necessary information to facilitate registration, they are likely to be in a position to provide names. Comparing

the most up-to-date list against the previous one will highlight any changes and whether someone who was previously registered has moved out.

- **Lists of residential and care homes / shelters / hostels:** Social services (or equivalent department) will be able to provide lists of residential and care homes, as well as shelters and hostels. The wardens of these types of accommodation may be helpful in providing information on changes of residents.
- **Land Registry/Registers of Scotland:** These sources can be used to find information on property ownership and sales of property, which can provide a useful source of information on changes, particularly as the name of the buyer is given.

List of reviews

10.7 You must keep a list of reviews. The list must contain the following information for each review, unless the review relates to an anonymous entry on the register:

- the full name, qualifying address and electoral number of the subject of the review
- the reason for the review

10.8 The list must be available for inspection at your office. You may keep the list electronically, such as on your EMS, and produce a paper copy for inspection on demand. You should maintain a clear audit trail of the reviews you have undertaken and the processes you have followed, including records of the information you have taken into consideration in your decision-making.

Types of review

10.9 There are three types of review. The choice of which option to undertake is at your discretion. The three types of review, including why you would choose a particular type over the others, are discussed below.

10.10 Following your decision as to which type of review you will carry out in any particular case, you must send a notice to the elector, containing the relevant information for that review type as set out below. In each type of review, the form of the notice to be given is not prescribed but the content is. Irrespective of which type of review you are undertaking, you must inform the elector of the grounds on which you are reviewing their registration. This could be one of the following:

- the person was not entitled to be registered in respect of the address
- the person has ceased to be resident at the address or has otherwise ceased to satisfy the conditions for registration
- the person was registered as the result of an application for registration made by someone else (i.e. not the individual whose details are provided on

the application and who has declared that the information provided is true), or the person's entry has been altered as the result of an application for a change of name made by someone else

Type A review

10.11 A type A review should be undertaken when you are of the opinion that the elector is not or was not entitled to be registered, or has an entry in the register which results from or was altered as a result of an application made by another person.

10.12 If you decide to undertake this form of review, you must send a notice to the elector stating that you are of the opinion that the person is or was not entitled to be registered or has an entry in the register which results from or was altered as a result of an application made by another person, and give the reasons for your opinion.

10.13 The notice should state that the elector has 14 calendar days from the date of the notice to request a hearing, otherwise the ERO may determine, without a hearing, that they are not entitled to be registered, or have an entry in the register which results from or was altered as a result of an application made by another person, as applicable. You should date the notice on the date that it is sent.

10.14 If the elector does not ask for a hearing within 14 calendar days, you must determine the review using any information that you have and any submitted by the elector or any other party. If you consider that the elector is or was not entitled to be registered, or has an entry in the register which results from or was altered as a result of an application made by another person, you must remove the entry from the register. See paragraph [9.20](#) on the timetable for deletions.

Type B review

10.15 Type B reviews enable you to require the elector to provide evidence of age or nationality. You should conduct a type B review when you have doubts as to whether the person meets one or more of the eligibility criteria but you are not able to substantiate these by, for example, using other council records and the elector has not responded to any previous request for information.

10.16 If you decide to undertake this form of review, you must send a notice to the elector stating that you are not satisfied that the elector is entitled to be registered and your reasons, and include a requirement to provide evidence of age or nationality as appropriate. The notice should state that the elector has 28 calendar days from the date of the notice to supply the required evidence and that if they do not, their entry in the register may be deleted. You should highlight that it is an offence to provide false information to you in response to this notice. If the elector has not submitted satisfactory evidence or information within 28 days, you should proceed to a Type A review.

Type C review

10.17 Type C reviews occur when you decide to go directly to a hearing. This may be in circumstances where your position and that of the elector or any other person is clear and it would be more practicable to have a hearing to decide the matter than to conduct a type A or type B review by correspondence. A type C review can be completed in a shorter timescale than types A and B and so may be particularly appropriate close to a registration deadline.

10.18 If you decide to undertake this form of review, you must send a notice to the elector stating your intention to hold a hearing. The notice must include the reasons for the review and the time and place of the hearing.



Hearings are covered later in this chapter at paragraph [10.40](#).

Objections

10.19 An elector registered in your area may make an objection at any time to a person's registration, either before or after you have added that person to the register. Objections can be made both to applications for registration and to entries already on the register.

10.20 The grounds for objection are that the person does not meet one or all of the requirements for registration, namely the age, nationality and residence qualifications, or the person has a legal disqualification to registering.

10.21 Some electors may not wish to make a formal objection because they wish to keep their details anonymous. However, this does not prevent you from carrying out a review of entitlement to registration.

Form of objection

10.22 Objections must:

- be made in writing
- be signed and dated by the elector making the objection ('the objector') – the signature cannot be an electronic one
- include the name, address and electoral number of the objector – the address should be as it appears on the register if shown, and if no such address appears or if the objector wishes correspondence to be sent to a different address, that address should also be given
- give the name, qualifying address and electoral number of the elector who is objected to or, if the person in question is not yet registered, their name and address as in the application

- give the reason for the objection

10.23 You are entitled to ask for further information about the particulars of any objection. If, for example, an objector has not given the qualifying address of the person they are objecting to, you should write to the objector to ask for this before taking any further action. Once you are satisfied that you have all the details, you can continue with the objection process.

10.24 As with applications, objections are open for inspection until they have been determined.

10.25 The two separate lists of objections you must maintain are:

- a list of objections to applications for registration before you have added the person to the register.
- a list of objections to entries already in the register

10.26 Anonymous registration applications are not open to inspection and anonymous applicants and those registered anonymously cannot be subject to an objection.

Determination of objections

10.27 You can disallow an objection without the need for a hearing, where:

- the objector was not entitled to object, for example, they were not a registered elector in your area
- the objection was clearly without merit
- the matter has already been settled by a court
- the particulars given in the objection do not entitle it to succeed

10.28 Examples of objections that are clearly without merit or where the particulars given will not succeed are:

- Objections based on the nationality of a person when the alleged nationality is an eligible nationality and the same as that given by the person
- Where the objector believes that the elector does not own the property they live in and should therefore not be registered

10.29 If you reject an objection, you must inform the objector of this, setting out your reasons. The objector may require a hearing within three days of your decision to reject it.

10.30 The objector must be a registered elector in the local authority area, but does not need to be registered in the same ward. If an objection is disallowed because the objector was not entitled to object you must tell the objector in writing.

Objections received within five working days of listing an application

10.31 If you receive an objection to an application to register within five working days of listing it, you must suspend the application until you determine the objection. The only exception to this is if you are of the opinion that the objection is clearly without merit – in this case, you should continue to process the application.

10.32 In making your determination you could:

- **Decide that the objection is clearly without merit.** In such a case you must write to the objector and inform them of your decision. The application is not suspended and you can determine the application. The objector may still request a hearing. If a hearing is requested, you should still continue to determine the application and add the applicant to the register if appropriate, but you must also conduct the objection hearing.
- **Inform the objector that they are not entitled to object.** In such a case you must inform the objector of your decision in writing. At that point, the objection is dismissed and you can determine the application.
- **Conclude that a decision of a court specifically covers the matters raised by the objection to that person** and that therefore the objection cannot be allowed. In such a case you must write to the objector and inform them of your decision. At that point, the objection is dismissed and you can determine the application.
- **Decide that the objection has or may have merit.** The application is suspended and you must then hold a hearing. You will determine the objection and the application based on the result of the hearing. See [‘Hearings’](#) below.

Objections received after the five-day period

10.33 Objections made after the five-day period do not suspend the application for registration.

10.34 If you are unable to determine an objection to an application received after the five-day period in time for the next register update, the application continues as normal and you can determine it. If you publish a notice of alteration and add an applicant subject to an objection, you should move the details from the ‘objections to applications’ list onto the ‘objections to registration’ list.

10.35 If you are able to determine the objection before the next register update and determine that the objection is allowed, then you must not add the applicant to your register.

10.36 If you receive an objection to an entry already on the electoral register, you must retain the elector on the register until you determine the objection.

10.37 If you disallow an objection, then you should send a notice of your decision and your reasons for disallowing it to the objector in order to allow them the opportunity to request a hearing.

10.38 The notice to the objector should state the grounds on which the objection has been disallowed and inform them that, unless they give you notice within three working days that they require a hearing, you will disallow the objection.

10.39 The only time you are required to inform an elector who is subject to an objection that their application or registration has been objected to is where there is a hearing as a result of the objection.

Hearings

Application hearings

10.40 Applications for registration do not have to be taken at face value - you have the option to take any application to a hearing. This process should be undertaken if you have any reason to doubt any application received based on any knowledge that you may have. Additionally, if an application has been disallowed without a hearing, one may be required by the applicant. This requirement must be made within three working days from the date of the notice informing the applicant of your decision and, due to the timescales, you should accept notification of the requirement to hold a hearing by written note, email or fax, or orally. You should ensure that once a decision is made to reject an application, the notice to be sent to the applicant is dated and sent on that same day.

10.41 A notice of hearing must be sent to the applicant stating the following:

- the time and place of the hearing
- the grounds for the hearing

Objection hearings

10.42 You must hold a hearing to determine an objection unless you disallow an objection on one of the following grounds:

- the objector is not entitled to object
- the objection is clearly without merit
- the matter has been concluded by a court
- the reasons for the objection are not valid reasons for an objection

10.43 Additionally, if you disallow an objection without a hearing, a hearing may be required by the objector. This requirement must be made within three working days from the date of the notice informing the objector of your decision and, due to the timescales, you should accept notification of the requirement to hold a hearing by written note, email or fax, or orally. You should ensure that once a decision is made to reject an objection, the notice to be sent to the objector is dated and sent on that same day.

10.44 A notice of hearing must be sent to both the objector and the applicant or elector subject to an objection. The notice must state the following:

- the time and place of the hearing
- the name and address of the objector
- the grounds for the objection

10.45 The objector's details will be made available to the applicant or elector.

Arrangements for application / objection hearings

10.46 You must set the date of a hearing to take place no earlier than three working days and no later than seven working days after the date of the notice of the hearing. The applicant, or, in the case of an objection, the objector and the applicant or elector subject to an objection, are entitled to attend the hearing, as is anyone who appears to you to be interested.

10.47 Any person entitled to attend may do so in person, or alternatively they may make a written representation or have someone else attend on their behalf. You should ensure that as many relevant parties as possible have the opportunity to attend, in particular the applicant or, in the case of an objection, the objector and the applicant or elector subject to an objection.

10.48 You may require that evidence be given on oath (or affirmation in Scotland), either because one of the people entitled to appear requests it, or because you think it is desirable. While you may administer the oath yourself, you should seek advice from your legal team to ensure that the oath is in the correct form and that the appropriate religious and non-religious options are available.

10.49 If the persons who are entitled to attend tell you they cannot attend a hearing on the date you have specified, you should attempt to rearrange the hearing if possible within the period allowed. You may still continue to have the hearing and determine the application at the hearing even if the objector, the applicant or elector subject to an objection fail to attend. You must consider any written evidence, such as a letter or form, supplied by the applicant, elector or objector in their absence.

10.50 Hearings are quasi-judicial proceedings and so it would be inappropriate to delegate this duty to an officer who is not appointed either as ERO or as a Deputy ERO.

Review hearings

10.51 Unlike the hearing of an application or objection, which must not be held earlier than the third working day or later than the seventh working day after the issue of the notice of hearing, there is no upper time limit on the conduct of a review hearing. The only requirement is that at least three working days need to elapse from the issue of the notice of hearing before it can be held.

10.52 If the person tells you they cannot attend a hearing on the date you have specified, you should attempt to rearrange the hearing if possible within the period allowed. If the subject of a hearing fails to appear, you may still determine that the subject of the review was not entitled or has ceased to be entitled to be registered. In making a determination, you must take into account written representations from the subject of the review and other interested parties.

Appeals

10.53 Where you make a determination at any hearing, the applicant, objector or elector has the right to appeal by submitting to you a notice of appeal. They have 14 calendar days beginning from the date of the decision to request an appeal. The process for making an appeal should be made clear to anyone attending the hearing.

10.54 Where the applicant, elector or objector has failed to attend the hearing, you should write to them to inform them of the outcome and include details of their right of appeal.

10.55 The notice of appeal must be submitted to you and any other relevant party, together with the grounds of appeal. You must then forward the notice to the county court or in Scotland to the sheriff, which should be accompanied by:

- a statement of the material facts which, in your opinion, have been established in the case
- your decision on the whole case and on any point specified as a ground of appeal

10.56 Should you consider that any appeals are based on similar grounds, you must inform the appropriate county court, or the sheriff in Scotland, of this to enable the court or sheriff to consolidate the cases or select one as a test case.

10.57 Anonymous registration appeals, which can only arise from reviews or the original application, will need to be heard in private unless the court decides otherwise.

11 Publication of notices of alteration and revisions to the register

Describing the full and edited registers

The terms 'full register' and 'edited register' are the technical terms used in the legislation. The terms 'electoral register' and 'open register' must be used from 10 June 2014 onwards (in England, Wales and Scotland) to describe the full and edited register to members of the public, to make it easier to understand the purpose of each register and how it is used. In specific instances where we mention the edited register in the guidance in this context, we refer to the edited register as the 'open register'. Otherwise we use the term 'edited register'.

Publication of the full register

11.1 You may revise the register at any time if necessary. This could be, for example, following a review of local government boundaries or in order to implement a review of polling districts and places made by the local authority. If you decide to revise your register in this way you must publish a notice of your intention to publish a revised register 14 calendar days before the publication date.

11.2 Your revised register must incorporate all the amendments to the register as a result of the successful applications which have met the deadline for inclusion and those you retain on the register. Names on HEFs or from other data bases must not be included on the register unless an application for registration is successfully made and determined by you by the determination deadline for that register.



Chapter 10 of [Part 3: 'The transition to IER during 2014/15'](#) contains guidance on publishing the revised register to be published by 1 December 2014 (2 March 2015 in Scotland)

Monthly alteration notices to the full register

11.3 You must publish monthly notices of alteration on the first working day of every month, except that you may not issue a monthly notice of alteration in the month you are publishing the revised register and in the two months before that day.

11.4 The updates must account for any additions, deletions and amendments which are due to be made to the register.

11.5 We have published a [document showing when monthly updates must be published](#), when applications must be made and when they must be determined by you for inclusion in a particular monthly update. You should note that names added to HEF forms or identified through a data source (outside of the confirmation process) do not constitute an application and must not be included on the register unless an application for registration is successfully made and determined by you by the determination deadline for that register.



Chapter 9 of [Part 3: 'The transition to IER during 2014/15'](#) contains guidance on publishing notices of alteration during the write-out and canvass.

Updates to the edited register

11.6 An elector's name and address will be included in the edited register unless they ask for them to be removed.

11.7 You must use the prescribed wording set out in regulations to explain the difference between the electoral register and the open register to electors. There are two versions of form of words prescribed in legislation, which must be used by you to explain the purposes for which the full and edited register may be used—the short version must be used on all registration application forms and HEFs (and applications made by telephone or in person), and the longer version should be used by you in all other circumstances when describing both versions of the electoral register.¹⁸

¹⁸ The form of words can be found in Schedule 3 of the following regulations:
<http://www.legislation.gov.uk/ukdsi/2013/9780111101896/schedule/3> (England and Wales);
<http://www.legislation.gov.uk/ukdsi/2013/9780111101988/schedule/3> (Scotland)

Process for changing opt-out preferences

11.8 An elector who wishes to change their opt-out preference can do so at any time by making a request to you with their full name, address and an indication of whether they wish to be included in or omitted from the edited register. This request may be made verbally or in writing. Where this information is provided verbally, you should make a written note of this for your records.

11.9 When you receive a request for a change to an edited register preference you are required to confirm the request in writing and notify the elector when a revised version of the edited register reflecting the request will be published, and how to contact you if the information in the notice is not correct.

11.10 . You must publish a revised version of the edited register on the first working day of every month. This must take account of any alterations to the full register, and any notification that a person contained on the register wishes to opt in or opt out. While a request to opt out or opt in of the edited register can be made at any time, it must be received 14 calendar days before publication to be included in the next update.

11.11 Unlike notices of alteration to the full register, you are required to publish a fully integrated updated version of the register rather than simply a notice setting out the changes. However, you do not have to print a full edited register every month, only if you are producing one for somebody who has requested it.

Section 11 requests

11.12 Under data protection legislation electors have the right to require you to exclude them from the edited register on a permanent basis (or until further notice). Section 11 of the Data Protection Act 1998 (DPA) gives individuals a right to issue a notice to data controllers requiring them to cease (or not to begin) processing their data for the purposes of direct marketing. EROs act as 'data controllers'. Under data protection legislation, you are under a legal duty to comply with a valid request made under Section 11 of the DPA.

11.13 The request has to come from the elector themselves. An elector cannot make the request on behalf of another person.

11.14 If you receive a request from a third party, such as a friend, family member or company alleging to be acting on the elector's behalf, the request should not be treated as a valid request under Section 11 unless you are satisfied that the elector has authorised the third party to make a Section 11 request on their behalf.

11.15 If you are not satisfied, you should contact the third party and ask them to provide evidence that they have authorisation from the elector to make a request under Section 11 on their behalf. If this is not provided, you should make enquiries of the elector in question and should obtain the elector's written confirmation of authorisation. Only once you are satisfied that the elector has

authorised the third party to send the Section 11 notice can you treat the Section 11 notice request as valid.

11.16 If you receive such a request you should treat it as a request to opt out of the edited register.



Specific provisions apply to HEFs issued during the canvass. Further guidance on section 11 requests made via HEFs is provided in Chapter 7 of [Part 3: 'The transition to IER during 2014/15'](#).

Election notices of alteration

Interim election notices of alteration

11.17 The Electoral Registration and Administration Act 2013 introduced provisions to increase the frequency of notices of alteration published prior to an election. These provisions introduce two new interim publication dates:¹⁹

- the last day on which nomination papers may be delivered to the Returning Officer for the purposes of the election
- on a date to be determined by you, but this must be a day after the first interim publication date and before the publication date of the final election notice of alteration

11.18 As with all notices of alteration, you are required to provide these updates to those who are entitled by law to receive them. For election notices, it is likely that candidates and agents will be seeking these updates as quickly as possible, and so you should ensure these are provided promptly.



[Chapter 12: Access and supply](#) contains guidance on access to and supply of the register.

Final election notice of alteration

11.19 The deadline for anyone to make an application in time to appear on the final election notice of alteration is 12 midnight, 12 working days before the poll.

11.20 As set out in [Chapter 4: Applications](#), an application is not made until you have received all of the required information. This also includes any applications

¹⁹ The UK Government intends to commence this in time for the scheduled polls in May 2014.

to amend existing register entries. The only exception to this are anonymous registration applications, which can be received up to six working days before the poll as they are not subject to the five-day objection period.

11.21 You must publish a final notice of alteration on the fifth working day before the day of the poll. You will need to have arrangements in place so that you know whether or not an application has arrived by the deadline. If it is not clear whether an application has been received by 12 midnight, you should err on the side of inclusion.

Deadlines for inclusion on a revised register or notice of alteration

Publication of revised register between canvasses

11.22 The following table sets out the timetable for applications and determinations to be made in time for inclusion on a revised register.

Publication date	chosen by you (provided you have given 14 calendar days' notice of intention to publish)
Determination deadline; deletions deadline; deadline for receipt and determination of anonymous registration applications	14 calendar days before the end of the month preceding the month when the revised register is due to be published
Deadline for receipt of applications (new applications and amendments to existing entries)	6 working days before the determination deadline

Publication of election notices of alteration

Interim election notices of alteration

11.23 The two interim election notices of alteration must be published:

- on the last day on which nomination papers may be delivered to the Returning Officer for the purposes of the election
- on a date to be determined by you, but this must be a day after the first interim publication date and before the publication date of the final election notice of alteration

11.24 The following determination and application deadlines apply:

Determination deadline; deletions deadline; deadline for receipt and determination of anonymous registration applications	the working day before publication
Deadline for receipt of applications (new applications and amendments to existing entries)	6 working days before the determination deadline

Final election notice of alteration

11.25 The following table sets out the timetable for applications and determinations to be made in time for inclusion on the final election notice of alteration:

Publication date	fifth working day before the poll
Determination deadline; deletions deadline; deadline for receipt and determination of anonymous registration applications	the working day before publication
Deadline for receipt of applications (new applications and amendments to existing entries)	6 working days before the determination deadline

Clerical errors

11.26 You may determine that the register contains a clerical error at any time and may correct it. You can correct all clerical errors made by you and your staff, for example, errors when transcribing information from an application or where you have failed to add a successful applicant to the register due to a clerical processing error.

11.27 Any clerical errors should be rectified as soon as they have come to your attention and reflected in the next register update. If a clerical error has been identified after the publication of the last notice of alteration before an election, you can correct the error up until 9pm on polling day. The determination must have been made by 9pm on polling day for it to take effect in time for the election. The details must be transmitted to the Presiding Officer for the appropriate polling station in whatever manner you have previously agreed with the Returning Officer for the election.

12 Access and supply

12.1 Access to and supply of the electoral register, any notice of alteration and the list of overseas electors is subject to certain restrictions. This section explains how you must allow access to and supply of the documents you maintain, and what restrictions apply. It also sets out the different provisions that apply in respect of the edited register and the marked register.

Public inspection of the full register

12.2 You must make the full register available for public inspection. You must ensure that:

- Any inspection takes place under supervision, either by you or someone else.
- There is provision for inspection at your office. Additionally, at your discretion, you may make provision at one or more places elsewhere in your area if there are reasonable facilities for this.

12.3 The legislation does not prescribe the level and nature of supervision of those who inspect the register. You should, however, satisfy yourself that the supervision is sufficient to prevent, as far as possible, unauthorised copying or theft of all or any part of the register. You should provide training or guidance notes to those staff who will be supervising the register.

12.4 Handwritten notes may be made by those inspecting the full register. Any other copying or recording is not permitted, and is a criminal offence.

12.5 Registers may be made available for inspection in paper and/or electronic form. You must take appropriate steps to ensure the security of the register if you make the register available for inspection electronically. In particular, you will need to ensure that any person inspecting the register is prevented from downloading, transmitting electronically or printing this information or copying it by any other means. Any search facility should be by address only and not by name, as this is specifically prohibited. Whether paper or electronic records are provided, any photographing or similar recording of the register, including by mobile phone, is also prohibited.

12.6 You may allow library or other council staff to provide inspection facilities, provided that you are confident that they can offer an appropriate level of supervision. Ensuring the appropriate level of supervision may be achieved by, for example, sending a copy of the legislation and any relevant guidance to the responsible person and obtaining a signed letter or email stating that the requirements will be followed. You should ensure that the supervision continues

to be sufficient, and you should undertake regular checks. You may want to consider obtaining a signed undertaking annually from any person outside of your office who is responsible for supervision of inspection.

12.7 If you have any concerns that steps are not being taken to avoid a breach of the regulations, you may wish to take legal advice. You should remove the copies of the register from any place where you are not satisfied that the supervision arrangements are sufficient.

Supplying copies of the full register and associated documents to specified individuals and organisations

12.8 This section covers the supply of the full register, and, depending on the potential recipient, supply of the list of overseas electors and/or any notice of alteration.

12.9 Supply of copies of the full register and the associated documents is limited to those individuals and organisations prescribed in the legislation. Some of those are entitled to free copies without application. Some are entitled to free copies only on application to you. Others are entitled to copies on payment of a prescribed fee.



We have published a list, for reference, of those entitled to receive the register and associated documents. This includes who is entitled to receive these documents, on what basis, in what format, and includes contact details where relevant. This list is available on [our website](#).

12.10 Only a body or organisation which is allowed by an enactment to access the electoral register may be supplied with a copy if they are not specifically listed in electoral legislation. You should consider the enactment quoted by the applicant and, if you are satisfied that the enactment gives them access to the full register, supply it.

12.11 There are restrictions on the recipients' use of copies of the full register. For example, it is not permissible to share copies of the full register with other employees (including if you are employed by a council), unless those employees fall within one of the permitted recipients. See paragraph [12.28](#) below for further information on restrictions of use.

12.12 Given that the register contains personal data you should take measures to ensure security of the register in transit. This is addressed in paragraphs [12.45](#) to [12.48](#).

Timely supply of the register

12.13 The timing of receipt of the register is particularly important to some recipients – for example, political parties need the electoral register to fulfil their statutory obligations in relation to the checking of donations, in addition to using it for campaigning purposes. It is important that the register is supplied promptly and you should, therefore, supply the register to anyone who is entitled to receive it on publication as soon as possible and in any case, within 5 working days.



As set out in the Commission's [performance standards framework](#) for IER, one of the criteria that the Commission will monitor is whether EROs are supplying copies of the register and absent voter lists to those entitled to receive them on publication or on receipt of a valid request within 5 working days.

Free supply without application

12.14 You must automatically send a copy of the published full register, and any associated documents, to each of the individuals and organisations entitled to be supplied with the register on publication.

Free supply only on application

12.15 Regulation 102 of the Representation of the People (England and Wales) Regulations 2001 provides that persons or organisations falling within Regulations 103 to 109, which include a councillor, party or candidate, may request the ERO to supply a free copy of the relevant parts of the full register, any notice setting out an alteration to the register and a list of overseas electors, on application. There is equivalent legislation in Scotland in the Representation of the People (Scotland) Regulations 2001, specifically Regulations 101 and 102 to 108.

12.16 Any application must be made in writing and must specify:

- the document that is requested
- whether the request is made for current documents only or whether it includes a request for the supply of any subsequent documents, such as notices of alteration (although the option of receiving subsequent documents does not apply to candidates requesting the documents for electoral purposes, so they will not need to include this); and
- whether a printed copy of any of the documents is requested instead of the version in data form

12.17 The relevant part of the full register must be supplied on receipt of a valid request. There is no limit on the numbers of requests that can be made. This means that the right to request the register could potentially be exercised more

than once, with each request being a valid request that the ERO must comply with. A further copy of the register may therefore be supplied to, for example, a councillor, party or candidate who has already been supplied with a copy if they make a further request.

Access to the full register by third parties

12.18 There is no distinction made in law between political parties and third parties when it comes to accessing the full register and the purpose for which the information can be used. A third party that meets all the criteria for being registered as a third party will be registered by the Commission and will then be entitled on request to a copy of the following, which they can then use only for prescribed purposes:

- the full register
- any notice setting out an alteration to the register
- a list of overseas electors
- the current absent voters list
- the final absent voters list for a particular election

12.19 If a valid request is made for any of this information it must be supplied unless the ERO has reason to believe that the person requesting the information is not asking for it on behalf of the registered third party. You can find the full list of third parties registered with us on our PEF Online website at:

<https://pefonline.electoralcommission.org.uk/search/searchintro.aspx>

12.20 A request for a copy of the full register by a third party must be made in writing to the ERO. It must state whether the request is for the current version of the full register or whether it includes requests for the supply of any subsequent notices of alteration. Where a printed copy is required, the requester must specify this too. Where it is not clear from the written request whether the request is for the current version of the register or if it includes any updates, the ERO should contact the requester and ask for clarification. Similarly, if there are any questions about whether the request has actually come from the registered third party (for example, if the third party name used in the request does not exactly match the name that appears on PEF Online), you should not supply the register until you have asked the requester for clarification and are satisfied that they are requesting the register on behalf of the third party.

12.21 There are strict legal restrictions on the use of the register and it can only be used by registered third parties for electoral purposes and the control of donations. As with anyone requesting a copy of the register, you should point out to them the restrictions on the use of the information contained in it, as well as the potential penalties for misuse. Any person found breaching the restrictions on the use of the electoral register could face a fine of up to £5,000.



Registered political parties at both national and constituency level can request to be supplied with information on whether an elector is individually registered. In England and Wales the request must be made from 1 January to 27 February 2015, and from 2 March to 10 April 2015 in Scotland. We have produced a factsheet designed to help political parties understand what information they are entitled to, how they can get this information, and what it will show them. You can download a copy of the [factsheet for political parties](#) on requesting information on who is individually registered from our website.

Supply by sale

12.22 Specified organisations are entitled to a copy of the full register, any notice of alteration, and the list of overseas of electors, on payment of the relevant prescribed fee (unless that organisation is entitled to a copy free of charge, as set out above).

Fees

12.23 The relevant prescribed fees are:

- For sale of the full register and the notices of alteration:
 - in data format, £20 plus £1.50 for each 1,000 entries (or remaining part of 1,000 entries) in it
 - in printed format, £10 plus £5 for each 1,000 entries (or remaining part of 1,000 entries) in it
- For sale of the list of overseas electors:
 - in data format, £20 plus £1.50 for each 100 entries (or remaining part of 100 entries) in it
 - in printed format, £10 plus £5 for each 100 entries (or remaining part of 100 entries) in it

Recording sales of the register

12.24 You should keep a record of the transactions of sales of the register. The income from such sales is often processed through the local authority and so the revenue gained, alongside the number of registers sold, should be available for public scrutiny and be made available if so required.

Use of 'Z' markers

12.25 All copies of the full register that have been sold must have the letter 'Z' placed against the name of any person whose name is **not** included in the edited version of the register that is published at that time.

Inspection and supply of the edited register

Inspection of the edited register

12.26 The edited register must be made available for public inspection. Unlike inspection of the full register, no supervision is required. The copy must be made available at your office, and in addition by any other means as you see fit.

Supply of the edited register

12.27 The edited register can be sold to anyone requesting it on payment of the prescribed fee. The fees for sale of the edited register are:

- in data format, £20 plus £1.50 for each 1,000 entries (or remaining part of 1,000 entries) in it
- in printed format, £10 plus £5 for each 1,000 entries (or remaining part of 1,000 entries) in it

Restrictions on use of the full register

12.28 There are restrictions on the use of the information contained in the full register. For example, a councillor or employee of the council who has a copy of the full register may only supply a copy it, or disclose or make use of information contained in it that is not contained in the edited register for the discharge of a statutory function of the council or any other local authority relating to security, law enforcement and crime prevention. In Scotland, the words 'other local authority' do not apply.

12.29 Government departments are restricted in the way that they may use the register. They may not supply or sell on a copy unless the recipient could obtain a free copy under the regulations.

12.30 Government departments must only use the register for:

- in England and Wales, the prevention and detection of crime and the enforcement of the criminal law (whether in England or Wales or elsewhere)
- in Scotland, the administration of justice, the prevention and detection of crime and the enforcement of the criminal law (whether in Scotland or elsewhere)
- the vetting of employees and applicants for employment where such vetting is required pursuant to any enactment
- the vetting of any person where such vetting is for the purpose of safeguarding national security, or

- supply and disclosure as defined by the regulations

12.31 Credit reference agencies must only use the registers for:

- vetting applications for credit or applications that can result in the giving of credit or the giving of any guarantee, indemnity or assurance in relation to the giving of credit
- meeting any obligations contained in the Money Laundering Regulations 1993, the Money Laundering Regulations 2001 or any rules made pursuant to Section 146 of the Financial Services and Markets Act 2000, and
- statistical analysis of credit risk assessment in a case where no person whose details are included in the full register is referred to by name or necessary implication



The [list of those entitled to receive the register](#) and associated documents will also include the permitted purposes for which the register can be used.

Inspection and supply of the marked register – England and Wales only

12.32 This section of the guidance is not relevant to EROs in Scotland. Although similar provisions for access to the marked register apply at some elections in Scotland, the responsibility for administering such access rests with the Returning Officer, not the ERO.

Inspection of marked registers and marked absent voter lists

12.33 Any person may inspect the marked register and any notices amending it, plus the marked copies of the postal voters list, the list of proxies, and the proxy postal voters lists, and such other documents relating to an election as you are required to retain, except ballot papers, completed corresponding number lists, certificates as to employment on the day of the election, and the list of ballot papers rejected under the verification procedure. Any person wanting to inspect such documents must apply in writing and must state:

- which register or document they wish to inspect
- whether they wish to inspect a printed or data copy (where appropriate)
- the purposes for which any information will be used
- where the request concerns the marked register or lists, why inspection of the full register or unmarked lists would not be sufficient to achieve the purpose
- who will be inspecting the documents, and

- the date on which they wish to make the inspection

12.34 You may refuse to allow inspection of these documents if you are not satisfied that the purposes of the requestor cannot be met by inspection of the full register, in which case you must inform the requestor of this decision and provide information concerning the availability of the full register for inspection.

Otherwise, the documents must be made available within 10 days of receipt of the application. You must arrange for them to be inspected under supervision. Inspection can take place anywhere you choose.

12.35 Those inspecting the documents can make copies of the registers and lists using handwritten notes only.

12.36 The same safeguards apply regarding the supervision and protection of the information as apply with the inspection of the full register, as set out in paragraphs [12.2](#) to [12.4](#).

12.37 The Security Service, Government Communications Headquarters, and Secret Intelligence Service are entitled to a free copy of any of these documents on request, and the police are entitled to free copies of any of these documents on request if they have inspected them.

Supply of the marked register and absent voting lists

12.38 Relevant parts of the marked copy of the registers of electors and any notices amending it, plus the marked copies of the postal voter list, the list of proxies, and the proxy postal voters lists, all must, if requested, be supplied to specified persons on payment of a prescribed fee.

12.39 The request must be made in writing and must specify:

- which of the marked register or lists (or relevant parts of them) are requested;
- whether printed or data copies are requested; and
- the purpose for which the data will be used and why the supply of the full data would not be sufficient to achieve that purpose.

12.40 The cost of a marked document is prescribed. The charge for data copies is £10 plus £1 per 1,000 entries or part thereof, and for printed copies it is £10 plus £2 per 1,000 entries or part thereof.

12.41 You must supply copies if requested provided the relevant fee is paid and you are satisfied that the requestor needs to see the marks on the marked register or lists in order to achieve the purpose for which it is requested.

Old copies of the full register

12.42 You should keep old copies of the full register and the overseas list indefinitely in case checks are needed, particularly in the context of checking overseas voter applications.

12.43 You should not, however, allow access to a register or other documents other than the current versions.

12.44 Local authority libraries and archives services, the British Library and the National Libraries of Scotland and Wales holding copies of the full register (and the other associated information) may allow inspection and supply of older versions. You could therefore refer inquiries for older versions to any of these bodies.

Security of data in transit

12.45 Due to the nature of the information contained within the register, proper caution should be exercised when sending this data to any of the entitled recipients.

12.46 While you should seek your own advice regarding the most appropriate and secure method of supplying the register to recipients, general security precautions, should include as minimum:

- saving electronic copies of the register, either sent by email or saved to disk, in a password-protected or encrypted format with the relevant password or encryption key being sent in a separate communication
- using secure delivery options provided by Royal Mail and other mail delivery service providers

12.47 The Information Commissioner's Office provides advice on encryption, available at

http://www.ico.org.uk/news/current_topics/Our_approach_to_encryption

12.48 Where you have used data encryption, you will need to ensure that any recipient can access the data.

Data protection

Data Protection Act 1998

12.49 The Data Protection Act 1998 gives individuals the right to know what information is held about them and provides a framework to ensure that personal

information is handled properly and in accordance with data protection principles. For EROs this includes ensuring that the collection, handling and supply of data comply with electoral legislation.

12.50 You should keep a list of all those organisations and individuals to whom copies of the register are supplied, and make this list publicly available. This will ensure an audit trail is maintained, and that any request for those details can be complied with easily.

12.51 All issues relating to the data protection aspects of using registration data should be directed to the Information Commissioner's Office.

In England:

Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF
Tel: 0303 123 1113
Fax: 01625 524510
Email: casework@ico.gsi.gov.uk

In Scotland:

Information Commissioner's Office -
Scotland
45 Melville Street
Edinburgh EH3 7HL
Tel: 0131 244 9001
Email: scotland@ico.gsi.gov.uk

In Wales:

Information Commissioner's Office -
Wales
2nd Floor
Churchill House
Churchill Way
Cardiff CF10 2HH
Tel: 029 2067 8400
Fax: 029 2067 8399
Email: wales@ico.gsi.gov.uk

Disclosure of registration applications and associated data

12.52 Applications for registration (other than anonymous registration applications) and any objections to applications are available for inspection from the point at which they are made until they are determined. After that point, such documents may not be inspected. Applications for absent votes may not be inspected at any time.

Requests for other data

12.53 You may receive other requests for data you hold, which is not covered by any particular duty to disclose or to withhold.

12.54 An example is information sought by police or other investigating or prosecuting authorities in connection with any criminal investigations. For example, the appointing local authority may request copies of canvass forms and registration application forms in connection with fraud investigations.

12.55 Although there is no right or duty of disclosure, you may supply such data if you feel that it is appropriate and are satisfied that to do so is in compliance with the Data Protection Act 1998.

12.56 Where you do not consider it appropriate to supply such data, any such body would need to obtain a court order for its supply.

Freedom of Information

12.57 EROs are not a public authority under the Freedom of Information (FOI) Act 2000 and, as such, are exempt from the disclosure requirements imposed by it.

12.58 However, where possible, EROs should disclose the requested information, provided this information is already in the public domain, or the information requested does not include personal data. An example of non-personal data would be statistical data providing the total number of electors registered in your area.

APPENDIX 1 - APPENDIX TO MINISTERIAL GUIDANCE: INFORMATION ON LEGISLATION

5. Interpretation of verification DWP data match results

Schedule 2 to the Representation of the People Act 1983 (as amended by the Electoral Registration and Administration Act 2013) states:

- (2A) Provision made under sub-paragraph (2) authorising or requiring a registration officer in Great Britain to—
- (a) require a person who has made an application under section 10ZC or 10ZD to provide evidence that he or she is the person named in the application, or
 - (b) require a person who has made an application under section 10ZC or 10ZD, or any person who has an entry in a register, to provide evidence for the purpose of enabling the officer to determine whether a person is entitled to be registered in a register maintained by the officer, must specify the kind of evidence that a person may be required to provide (for examples, see paragraph 3ZA (5)).
- (2B) Provision of the kind mentioned in sub-paragraph (2A) may authorise or require the registration officer to require a person to provide the evidence to a registration officer or to some other prescribed person (or person of a prescribed description)

This means that someone who wants to register to vote must supply evidence of their identity to the ERO or a person appointed by them to receive such information (Electoral Services staff for example).

The Representation of the People Regulations 2001 for both England and Wales and Scotland set out the process for establishing the identity of new applicants:

- 29ZA.**—(1) On receipt of an application under section 10ZC or 10ZD of the 1983 Act made on a paper application form, a registration officer must disclose the name or names, date of birth and national insurance number given under regulation 26(1)(a), (e) and (f) or under regulation 26A(1)(a), 26A(1)(b) and 26A(5) to the Lord President of the Council in such a format and through such a conduit system as the Lord President may have notified to the registration officer in writing.
- (2) Following receipt of the information from the registration officer or (in the case of an application made through the digital service) from the applicant, the Lord President of the Council may disclose the information to the Secretary of State.
- (3) Where information has been disclosed to the Secretary of State under paragraph (2), the Secretary of State may compare it against—

- (a) the name, date of birth and national insurance number of individuals appearing in the following types of databases kept by the Secretary of State—
 - (i) databases kept for the purposes of functions relating to social security (including such information kept on behalf of the Department for Social Development); and
 - (ii) databases relating to working tax credit, child tax credit and child benefit (being information kept on behalf of Her Majesty's Revenue and Customs); and
 - (b) any other information contained in those databases which relates to the information disclosed under paragraph (2).
- (4) The Secretary of State may disclose the results of the comparison to the Lord President of the Council.
- (5) On receipt of such results, the Lord President of the Council may disclose them to the registration officer in whose register the applicant has applied to be registered.
- (6) Where the Lord President of the Council does so, the registration officer must take the results into account in determining the application.
- (7) In this regulation—
- (a) “conduit system” has the same meaning as in paragraph 1 of Schedule 2 to the Telecommunications Act 1984⁽²⁰⁾;
 - (b) “the Secretary of State” means the Secretary of State for the Department for Work and Pensions.

Paragraphs (1) and (2) outline the process of passing an applicant's data from an ERO, to the IER Digital Service and on to DWP and which items of data collected on the application must be sent.

Paragraph (3) defines which databases DWP are allowed to match the applicant's data against. Paragraphs (4) and (5) describe the process of returning the match results to the ERO.

Paragraph (6) requires the ERO to use the results of the data match when determining an application

6. Using local data to establish identity with ‘red’ and ‘green’ matches

EROs have the option to use locally held data to make a determination on a new application where the ERO considers that the evidence they already have (the

⁽²⁰⁾ 1984 c. 12; paragraph 1 has been amended but no amendments are relevant to these Regulations.

results of the verification data match) is insufficient to make a determination. *Applicants who cannot provide a National Insurance Number must not be matched against local data and must be directed to the exceptions process.*

Registration officer's right to inspect certain records

35.—(1) A registration officer is authorised to inspect, for the purpose of his registration duties, records kept (in whatever form) by—

- (a) an authority listed in paragraph (2) below, or
- (b) any person providing services to, or authorised to exercise any function of, any such authority.

(2) Those authorities are—

- (a) the council by which he was appointed; and
- (b) any registrar of births and deaths.

(3) A registration officer is authorised to make copies of information contained in such records

Regulation 35 of the Representation of the People Regulations 2001 (for both England and Wales, and Scotland) defines the powers an ERO has to inspect information held by their local authority (or the local authority which appointed them). This is limited to any data held by the local authority which appointed the ERO or held by any person providing services to or exercising any function of any such authority and any Registrar of Births and Deaths (N.B. The latter is *not* limited to Registrars within the ERO's local authority area).

7. Registering electors who do not have or cannot provide a National Insurance Number

The Representation of the People Regulations 2001 for both England and Wales and Scotland state that:

Applications for registration

26.—(1) An application for registration as a parliamentary or local government elector (or both) under section 10ZC or an application for alteration in respect of address under section 10ZD of the 1983 Act ("an application") must be in writing and must state—

- (f) the applicant's national insurance number or, if they are not able to provide that information, the reason why they are not able to do so ;

Applications for registration where certain information is unavailable

26B.—(1) This regulation applies where a registration officer considers additional evidence is necessary to verify the identity of a person or determine their entitlement to register in respect of their application under section 10ZC or 10ZD of the 1983 Act, including where that is necessary because the person is not able to state the information required by any of sub-paragraphs (e), (f) or (g) of regulation 26(1).

Regulation 26 (1) (f) requires applicants to register to vote to supply their National Insurance Number. Where an applicant cannot provide a National Insurance Number, they must state why this is so.

8. Registering electors who cannot provide a date of birth

The Representation of the People Regulations 2001 (both for England and Wales and Scotland) states that:

Applications for registration

26.—(1) An application for registration as a parliamentary or local government elector (or both) under section 10ZC or an application for alteration in respect of address under section 10ZD of the 1983 Act (“an application”) must be in writing and must state—

(e) the applicant’s date of birth or, if they are not able to provide that information, the reason why they are not able to do so and a statement as to whether the applicant is under 18 years old or over 70 years old;

Applications for registration where certain information is unavailable

26B.—(1) This regulation applies where a registration officer considers additional evidence is necessary to verify the identity of a person or determine their entitlement to register in respect of their application under section 10ZC or 10ZD of the 1983 Act, including where that is necessary because the person is not able to state the information required by any of sub-paragraphs (e), (f) or (g) of regulation 26(1).

Regulation 26 (1) (e) requires applicants to register to vote to supply their date of birth. Where an applicant cannot give their date of birth, they must state why this is so.

9. The exceptions process

Regulation 26B of both the England and Wales and Scotland Representation of the People Regulations 2001 states:

Applications for registration where certain information is unavailable

26B.—(1) This regulation applies where a registration officer considers additional evidence is necessary to verify the identity of a person or determine

their entitlement to register in respect of their application under section 10ZC or 10ZD of the 1983 Act, including where that is necessary because the person is not able to state the information required by any of sub-paragraphs (e), (f) or (g) of regulation 26(1).

(2) The registration officer may require that the applicant give them a copy, or where the registration officer considers it appropriate, the original, of one of the following documents—

- (a) the applicant's passport;
- (b) the applicant's identity card issued in the European Economic Area;
- (c) the applicant's biometric immigration document issued in the United Kingdom in accordance with regulations made under section 5 of the Borders Act 2007⁽²¹⁾;
- (d) the applicant's electoral identity card issued in Northern Ireland; or
- (e) the applicant's photocard driving licence granted in the United Kingdom or driving licence granted by a Crown Dependency, which bears a photograph of the applicant.

(3) Where an applicant is not able to give one of the documents in paragraph (2), the registration officer may require that the applicant give them a copy, or where the registration officer considers it appropriate, the original, of—

- (a) one of the following documents, which, except in relation to paragraph (vii), must have been issued in the United Kingdom or Crown Dependencies—
 - (i) the applicant's birth certificate;
 - (ii) the applicant's marriage or civil partnership certificate;
 - (iii) the applicant's adoption certificate;
 - (iv) the applicant's firearms certificate granted under the Firearms Act 1968⁽²²⁾;
 - (v) the record of a decision on bail made in respect of the applicant in accordance with section 5(1) of the Bail Act 1976⁽²³⁾;
 - (vi) the applicant's driving licence, which is not in the form of a photocard; or
 - (vii) the applicant's driving licence granted other than in the United Kingdom or Crown Dependencies, which bears a photograph of the applicant and which must be valid for at least 12 months from the date the applicant entered the United Kingdom; and
- (b) two other documents, each of which may be either from sub-paragraph (a) or from paragraph (4).

(4) Where the applicant is not able to give documents in accordance with

⁽²¹⁾ 2007 c. 30.

⁽²²⁾ 1968 c. 27.

⁽²³⁾ 1976 c. 63.

paragraph (3), the registration officer may require that the applicant give them a copy, or where the registration officer considers it appropriate, the original, of four documents, each of which may be any of the following kinds of evidence and which must bear the applicant's full name—

- (a) a financial statement, including but not limited to—
 - (i) a mortgage statement;
 - (ii) a bank or building society statement or a letter from a bank or building society confirming that the applicant has opened an account with that bank or building society;
 - (iii) a credit card statement;
 - (iv) a pension statement;
- (b) a council tax demand letter or statement;
- (c) a utility bill;
- (d) a Form P45 or Form P60 issued to the applicant by their employer or former employer;
- (e) a statement of benefits or entitlement to benefits, such as a statement of child benefit, within the meaning of section 141 of the Social Security Contributions and Benefits Act 1992⁽²⁴⁾, or a letter confirming that the applicant is entitled to housing benefit, within the meaning of section 130 of that Act.

Paragraph (1) sets out the circumstances in which the exceptions process is required and the action the applicant must take. The exceptions process applies to those applicants who cannot provide the required personal identifiers for data matching (National Insurance Number and/or date of birth) or where it has not been possible for the ERO to match the applicant using the DWP match or local data.

Paragraphs (2) – (4) list the documents that are acceptable to establish the applicant's identity (see section 9.3).

The exceptions process would also apply where an existing elector has used a voter registration form to change their name and have not supplied the required personal identifiers or it was not possible to verify their identity using the DWP data match or local data.

The term 'Crown Dependency' in these regulations means the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man.

⁽²⁴⁾ 1992 c. 4.

10. The attestation process

Regulations 26B of each of the Representation of the People Regulations 2001 (England and Wales, and Scotland) state that:

(5) If an applicant is unable to give the documentary evidence required under paragraphs (2) to (4), the registration officer may require that the applicant give an attestation as set out in paragraph (6).

(6) An attestation must—

- (a) confirm that the applicant is the person named in the application;
- (b) state that the person signing the attestation is aware of the penalty for providing false information to a registration officer;
- (c) be in writing and signed by a person—
 - (i) whom the registration officer is satisfied is of good standing in the community;
 - (ii) who is registered as an elector in the same local authority area as the applicant;
 - (iii) who is not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of the applicant; and
 - (iv) who has not already signed attestations under this regulation for two applicants since the last revised version of the register was published under section 13(1)⁽²⁵⁾ of the 1983 Act.
- (d) state the full name, date of birth, address, electoral number and occupation of the person signing the attestation; and
- (e) state the date on which it is made.

Sub-paragraphs (a) and (b) of paragraph (6) cover the statements that the person making the attestation (the attesor) must make for the attestation to be valid. Firstly, that the applicant is the person whose name appears on the registration application. Secondly, that the attesor is aware that there is a criminal penalty for providing false information to the ERO.

Sub-paragraph (c), (i) – (iii) defines who may make an attestation in support of an application. The attesor must be a ‘person of good standing in the community’ (a term defined in section 10.1 of this guidance), registered as an elector in the same local authority area as the applicant, and not closely related to the applicant.

⁽²⁵⁾ 1983 c. 2; section 13(1) was substituted by section 5(1) of the Northern Ireland (Miscellaneous Provisions) Act 2006 c. 33.

Sub-paragraph (c) (iv) limits the number of attestations one person may make in any one electoral year (which usually starts on 1 December each year) to two. Sub-paragraph (d) lists the information the attestor is required to supply about themselves in order for the attestation to be valid. Sub-paragraph (e) requires the attestation to be dated.

11. New rules for special category electors under IER

The Electoral Registration and Administration Act 2013 (Transitional Provisions) Order 2013 defines which electors' details must be sent for confirmation data matching:

Confirmation of entitlement to remain registered

6. —(1) Each registration officer must within the specified period check whether each person who—

- (a) has an entry in a register maintained by the registration officer; and
- (b) does not fall within paragraph 4(5) of Schedule 5 to the 2013 Act

is entitled to remain registered.

Article 6 (b) defines which electors should not be included in the confirmation data match; all special category electors (excluding anonymous electors who are not included in confirmation under article 8 of the Transitional Order), anyone who has already registered under IER, and electors who have been carried forward at the last annual canvass.

Schedule 5, Parts 5 and 6 of the Electoral Registration and Administration Act 2013 deals with those people referred to in Article 6 (1) (b) above, and electors with anonymous entries and sets out the point at which provision of personal identifiers is required for renewal.

PART 5

PERSONS WITH EXISTING REGISTRATIONS BY VIRTUE OF DECLARATIONS ETC

Meaning of “relevant person”

20.

(1) In this Part of this Schedule “relevant person” means a person who falls within sub-paragraph (2) or (3).

(2) A person falls within this sub-paragraph if the person—

- (a) is for the time being registered in a register in pursuance of a declaration of local connection, a service declaration or an overseas elector's declaration, and
- (b) has been registered in pursuance of a declaration of that kind since immediately before the commencement date.

(3) A person falls within this sub-paragraph if the person—

- (a) has for the time being an anonymous entry in a register, and
- (b) has had such an entry since immediately before the commencement date.

Relevant person's first renewal of registration after 3-month transitional period: successful new application required

21.

- (1) On the first occasion after the transitional period on which a relevant person's entry in a register comes up for renewal, the person is not entitled to remain registered unless the person has made a successful new application for registration (in addition to complying with any other requirements).
- (2) "Transitional period" means the period of 3 months beginning with the commencement date.
- (3) For the purposes of this paragraph, a relevant person's entry in a register comes up for renewal when an event mentioned in the applicable provision occurs in relation to that entry.
- (4) "The applicable provision" means—
 - (a) section 7C(2) or 15(2) of the Representation of the People Act 1983 or section 2(2) of the Representation of the People Act 1985, or
 - (b) section 9C(1) of the Representation of the People Act 1983;(as applicable).

Paragraph 20(1) to (3) defines the types of electors to whom these rules apply (overseas, Crown Servants, armed forces voters, anonymous, and declarations of local connection).

21 (1) states that any special category elector whose application is due for renewal after the transition period and who does not make a new application to register (by supplying personal identifiers in the first instance) cannot remain registered to vote.

21 (2) defines the transition period as being three months from the start of IER.

Regulation 26B of the Representation of the People Regulations 2001 for both England and Wales, and Scotland governs the exceptions/attestation process for some types of special category electors who cannot provide personal identifiers:

(7) Paragraphs (2) to (6) do not apply where the application is made pursuant to the following declarations—

- (a) a service declaration on the grounds that the applicant is a Crown servant (within the meaning of regulation 14) or the spouse or civil partner of a Crown servant (within the meaning of regulation 14);
- (b) a service declaration on the grounds that the applicant is a member of the forces (within the meaning of section 59(1) of the 1983 Act);
- (c) a service declaration on the grounds that the applicant is the spouse or civil partner of a member of the forces (within the meaning of section 59(1) of the 1983 Act); or
- (d) an overseas elector's declaration.

(8) In the case of an application in pursuance of a declaration within paragraph (7)(a) or (c), the registration officer may require that the applicant give them a copy, or where the registration officer considers it appropriate, the original, of one of the following documents, which has been certified by a Crown servant (within the meaning of regulation 14) or British Council employee or an officer of the forces (within the meaning of section 59(1) of the 1983 Act) who is not the applicant's spouse or civil partner—

- (a) the applicant's passport; or
- (b) the applicant's identity card issued in the European Economic Area.

(9) In the case of an application in pursuance of a declaration within paragraph (7)(b), the registration officer may require that the applicant give an attestation which must—

- (a) confirm that the applicant is the person named in the application;
- (b) be in writing and signed by an officer of the forces (within the meaning of section 59(1) of the 1983 Act) who is not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of the applicant;
- (c) state the full name, address and rank of the person signing the attestation and the service (whether naval, military or air forces) in which they serve; and
- (d) state the date on which it is made.

(10) In the case of an application in pursuance of a declaration within paragraph (7)(d), the registration officer may require that the applicant give an attestation which must—

- (a) confirm that the applicant is the person named in the application;

- (b) be in writing and signed by a registered elector who is a British citizen living overseas and who is not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of the applicant;
- (c) state the full name, address and occupation of the person signing the attestation;
- (d) state the attessor's British passport number together with its date and place of issue; and
- (e) state the date on which it is made.

Paragraph (7) defines which special category electors the regulation applies to. These are Crown Servants and their spouses/civil partners, employees of the British Council and their spouses/civil partners, members of the armed forces, spouses/civil partners of members of the armed forces, and overseas electors/applicants.

Paragraph (8) sets out the exceptions process that applies to Crown Servants/British Council employees and their spouses/civil partners and spouses of members of the armed forces (see section 8.3).

Paragraph (9) sets out the attestation process for members of the armed forces (see section 8.3).

Paragraph (10) sets out the attestation process for overseas electors/applicants (see section 8.3).

Anonymous electors and persons registered under a declaration of local connection are not covered by these regulations – people who want to be registered as one of these types of special category elector must follow the same exceptions/attestation process as ordinary applicants (see sections 9 and 10).

APPENDIX 2: ICO ADVICE ON ACCESSING LOCAL RECORDS

The Information Commissioner's Office full advice is as follows:

The Electoral Commission has informed us that EROs have a duty under Section 9A of the RPA 1983 to review as many council-held databases as they feel necessary for the purposes of maintaining the electoral register. Because this legal duty obliges a local authority to disclose the information requested by the ERO, the Data Protection Act 1998 (DPA) will not act as a barrier preventing local authorities from disclosing this information.

Organisations must have a legitimate condition for processing before they can process any personal data and the disclosure of information to EROs is a form of processing. The conditions can be found in Schedule 2 and, in the case of sensitive personal data, Schedule 3 of the DPA. The relevant conditions for these circumstances would be *"for the exercise of any functions conferred on any person by or under any enactment"* (Schedule 2(5)(b) and Schedule 3(7)(1)(b)) and it may be helpful for EROs to refer their local authorities to these conditions.

Local authorities should also refer to Section 35(1) of the DPA, which states:

"Personal data are exempt from the non-disclosure provisions where the disclosure is required by or under any enactment, by any rule of law or by the order of a court".

In general the non-disclosure provisions can be defined as the sections of the DPA which are designed to protect personal data from unlawful disclosure. They are the fair and lawful processing aspects of the first principle; the second, third, fourth and fifth principles, Sections 10, 14(1) and (3).

However, the non-disclosure provisions are not a blanket exemption to all of the above provisions, under all circumstances. We would not consider the fair processing requirement to be a non-disclosure provision in this situation. This is because we do not believe that informing data subjects that local authorities are under a legal obligation to disclose personal data to the ERO, for the purposes of maintaining the electoral register, is inconsistent with that particular disclosure.

Therefore, we think that local authorities should inform data subjects, as soon as it is practicable to do so, that their personal data may be disclosed to EROs, for the purposes of maintaining the electoral register. We would accept that the most practicable method by which local authorities can inform data subjects is when fair processing notices are routinely updated. However, we still would encourage local authorities to try to make fair processing information available in the meantime, e.g. via their website or by any other convenient method. The move to IER with all the necessary new policies and procedures would seem an ideal opportunity for local authorities to ensure that appropriate fair processing notices are updated.