

FROM: Audit and Risk Manager
TO: Deputy Chief Executive
C.C. Chief Executive
Head of Finance
Democratic Services Manager and
Deputy Monitoring Officer
Electoral Services Manager
Portfolio Holder (Cllr Day)

SUBJECT: Electoral Registration
DATE: 20 October 2022

1 **Introduction**

- 1.1 In accordance with the Audit Plan for 2022/23, an examination of the above subject area has recently been completed by Ian Davy, Principal Internal Auditor, and this report presents the findings and conclusions for information and, where appropriate, action.
- 1.2 Wherever possible, findings have been discussed with the staff involved in the procedures examined and their views are incorporated, where appropriate, into the report. My thanks are extended to all concerned for the help and cooperation received during the audit.

2 **Background**

- 2.1 All aspects of Electoral Registration are undertaken by a small team in Democratic Services which, under the current, interim, structure sits within the remit of the Deputy Chief Executive.
- 2.2 The majority of the processes are now electronic with the data held on the Council's register being data matched with information held by the Department of Work and Pensions (DWP).
- 2.3 Over the last few years, prompted in part by the EU Referendum, there has been a lot more interest from the public in all matters political. This has resulted in an increase in the number of people registering to vote which, coupled with the expanding population of the District, has seen an increase in the number of people on the register, with the current number of registered electors being in the region of 110,000.

3 **Objectives of the Audit and Coverage of Risks**

- 3.1 The management and financial controls in place have been assessed to provide assurance that the risks are being managed effectively. The findings detailed in the following sections confirm whether the risks are being appropriately controlled or whether there have been issues identified that need to be addressed.

- 3.2 In terms of scope, the audit covered the following risks:
1. Fees set for accessing the register are not in line with legislation.
 2. Insufficient budget (e.g. for postal charges and canvassers etc.)
 3. Changes to legislation are not identified, leading to the maintenance of the register being non-compliant.
 4. The register is not published in line with legislated dates.
 5. Performance monitoring performed by the Electoral Commission finds that the canvass has not been performed in line with legislation.
 6. Inaccurate register.
 7. Electors not able to vote.
 8. Unauthorised disclosure of the full register.
 9. Ineligible electors are added to the register.
 10. Lone working and physical safety of canvassers.
 11. Staff numbers are insufficient to enable the register to be appropriately maintained or updated in a timely manner in the run up to an election.
 12. Inability to recruit canvassers.
 13. Failure of the IT system used to maintain the register.
 14. Loss of data.
 15. Inappropriate contracts are in place / failure of supplier.
- 3.3 These were identified during discussion between the Principal Internal Auditor, the Democratic Services Manager and Deputy Monitoring Officer (DSM) and the Electoral Services Manager (ESM).
- 3.4 Whilst the work in this area is not directly linked to the Council's objectives, as it is a requirement under legislation, there are indirect links to specific strands of the Fit for the Future strategy, i.e. the internal Services strand includes an outcome relating to the increased provision of digital services.

4 Findings

4.1 Recommendations from Previous Reports

- 4.1.1 This section is not applicable as there were no recommendations raised as part of the last audit of the subject, undertaken in August 2018.

4.2 Financial Risks

4.2.1 Risk: Fees set for accessing the register are not in line with legislation.

The ESM advised that the fees are prescribed in the Representation of the People Regulations (2001) and, as such, there is no requirement for them to be approved as part of the annual fees and charges report.

The main source of income is from the credit reference agencies. The ESM advised that these are charged £500 per year to include updates. This does not tie in with the approved fees, however, as the ESM advised that the Council is allowed to charge for costs (such as time and printing), notwithstanding that these charges have remained the same for a number of years. As printing is no longer required (with electronic provision of the data), it is suggested that these charges could be revisited.

Recommendation

The price charged to the credit reference agencies should be reviewed to ensure that it still meets the costs of providing the copies of the register.

The ESM highlighted that the other fees received would be based on the specified costs. The fees set out on the 'marked copy' list provided confirmed that the figures had been correctly calculated, based on the numbers on the register.

However, it was noted that there were a few anomalies between the figures shown on the fee 'list' and what was actually charged. The ESM suggested that some of these were 'deliberate' (e.g. the splitting of the admin charge where two separate requests came in from the same party based in the same building) with the others generally being acceptance of the payments received due to the passage of time.

The ESM highlighted that, in 2021, there were so many combinations of data that the candidate was entitled to and pay for, that it was very easy for them to miss the admin fee. The spreadsheet given to the candidates has now been amended to show a total fee being charged.

Due to the materiality of the amounts involved, it is not thought that any further action is warranted.

The fees for the main credit reference agencies are raised through debtor invoices with other fees received through BACS receipts.

An issue was noted on Ci Anywhere that some payments had been allocated to the wrong ledger code and one payment had apparently been credited against the wrong debtor. The Principal Accountant advised that this would have been due to the item being incorrectly identified after sitting in suspense.

4.2.2 Risk: Insufficient budget (e.g. for postal charges and canvassers etc.)

The ESM advised that the budgets are discussed with the Assistant Accountant (AA), with the figures based on expected expenditure. No major changes had been expected, although the training budget has been increased due to anticipated future expenditure in relation to the AEA certificate for the new member of staff.

The budget set for the current financial year was compared to that outturn position for 2021/22 and the material variances were discussed with the ESM. No issues were identified.

The ESM advised that monthly meetings are held with the AA to monitor the budget position.

The budget was compared to current income and expenditure levels and material variances were discussed with the ESM. It was noted that there was no

budget for IT maintenance, whereas there was no expenditure against the IT hardware budget.

The AA advised that there is a need for the budget to be vired to the correct code and the position it to be corrected as part of the next budget setting process.

4.3 **Legal and Regulatory Risks**

4.3.1 **Risk: Changes to legislation are not identified, leading to the maintenance of the register being non-compliant.**

The ESM highlighted that the Electoral Commission issue guidance and weekly bulletins where they help to interpret any changes to legislation. Schofield's election law books / updates are also used, with updates being periodically provided when changes have been made to legislation.

The latest update (invoice) found was from June 2021 and the ESM confirmed that there had not been any recent updates. However, the Elections Bill has recently received Royal Assent, so it is anticipated that this will be implemented within the current Parliament's lifetime (i.e. before the next General Election) and updates would be expected in line with this.

4.3.2 **Risk: The register is not published in line with legislated dates.**

The ESM advised that there is no need as such for a formally documented timetable, as all relevant staff are aware of the statutory timetable in place, although she keeps her own records. She showed me her copy from the previous canvass and advised that the current version was a work in progress.

The canvass effectively starts after the May elections, with data being submitted to the DWP for matching from 1 June onwards (the Council had the submission date booked for 27 June).

In the first week of August, those on Route 1 will be emailed with a form then being submitted to those on Route 2 from mid-August. Those on Route 1 will then be sent a form at the end of August if they haven't responded to the email with reminders being sent to non-responders on Route 2 during September.

The telephone canvass will then begin before door knocking and further forms are issued at the end of October / beginning of November, with roughly 5,000 forms being required following the telephone canvass. The register will then be published on 1 December.

The ESM advised that there is no performance monitoring performed on the contractors, although she highlighted that issues, if there are any, would be quickly identified (e.g. if lots of calls come in when forms haven't been received etc.)

The performance of canvassers is checked through the Xpress system, as canvassers complete the forms on tablets and upload the information to the system on a daily basis.

4.3.3 **Risk: Performance monitoring performed by the Electoral Commission finds that the canvass has not been performed in line with legislation.**

The ESM advised that the Electoral Commission monitor the performance of the Elections team with visits to the Council. She highlighted that they have concentrated on those Councils that had elections in May 2022.

The DSM advised that there have been no recent reports from the Electoral Commission on the electoral registration process, although he highlighted that they had queried the lack of 'door knocking' canvassers in recent canvass periods. However, justification (i.e. the COVID pandemic) was considered appropriate.

The ESM also suggested that self-assessments would be more relevant to elections as opposed to electoral registration / canvassing as the Council sticks to what the Electoral Commission suggest.

4.4 **Reputational Risks**

4.4.1 **Risk: Inaccurate register.**

The ESM advised that specific checking of data input is not performed. However, any issues with data would be identified when the annual data submission to the DWP is performed, i.e. if no match comes back, it could be that the data had been input incorrectly and this would be followed up. The ESM suggested, however, that this is very rare, with the only issues generally identified being those where the Council needs to see relevant documentary evidence to register someone.

The Electoral Services Assistant (ESA) goes through the error logs following each election and will update the system accordingly. The ESM advised that very few actual 'errors' are recorded on these documents with most entries relating to people moving, changes to postal vote registrations and missing people, with most forms coming back blank.

This was borne out upon review of the paperwork from the latest sets of elections (by elections and local plan referendums as the Council had not had any elections in the last round). Very few 'errors' were recorded at all, with the vast majority of forms being blank.

One change of address was noted and it was confirmed upon review of the system that these had been updated accordingly.

4.4.2 **Risk: Electors not able to vote.**

The ESM highlighted that people are no longer removed from the register if they do not respond to the canvass forms due to the reform of the registration process, with those that follow route 1 not needing to respond.

She suggested that there is not much in the way of local advertising undertaken to encourage people to register as the Electoral Commission put lots of adverts out in the run up to elections.

The Council's social media channels are, however, used to make people aware of how to register (and how to apply for an absent vote), especially in the run up to the main elections and during the annual canvass. Household notification letters are also sent out, advising who is on the register so that the details can be updated before the elections where appropriate.

When a planning application for a new property is put on GIS, it will be pushed through to a 'future' properties area on the Xpress system before being moved to a 'holding area' once the property is complete. From there, the Electoral Services Officer (ESO) will move the property into the relevant polling district.

The ESM highlighted that nothing is sent out to identify who has moved into the property, with the Elections team waiting for the new residents to contact the Council. However, empty property poll cards will be sent out prior to elections, highlighting to residents that they are able to register.

4.4.3 **Risk: Unauthorised disclosure of the full register.**

The ESM advised that the system can be set up with different authorisation levels, so different staff can only see the parts that are relevant to them. Staff in other Council departments can only access the system through the 'web register' (WebReg).

The County Records Office and Leamington Library have copies of archive registers which can be viewed.

Credit reference agencies can have copies of the full register and get monthly updates which they access through a secure web link.

4.5 **Fraud Risks**

4.5.1 **Risk: Ineligible electors are added to the register.**

The ESM advised that, if evidence is required to be submitted (e.g. the residents have not been matched during the data matching), copies of relevant identification documents need to be submitted.

It was not possible to undertake direct testing of this process as, once processed, the evidence is shredded.

4.6 **Health and Safety Risks**

4.6.1 **Risk: Lone working and physical safety of canvassers.**

The ESM suggested that a risk assessment had been performed for canvassers, although this could not be located on AssessNet and the previous (paper) copy could not be found.

Recommendation

An (updated) risk assessment for canvassers should be performed and recorded on AssessNet before the next round of door-to-door canvassing is undertaken.

The ESM advised that there have not been any recent checks of the staff alert list as there have not been any physical canvasses performed and it was not felt necessary for phone canvassing. She suggested that none of the phone canvassers had received any verbal abuse with those contacted suggesting that it has been a more helpful route.

Advisory

Consideration should be given to performing data matching exercises (with Community Protection) of properties to be physically canvassed against the properties on the staff alert list, with an assessment of any issues raised being undertaken to identify if there are any properties that should be omitted from the door-to-door canvass.

4.7 Other Risks

4.7.1 Risk: Staff numbers are insufficient to enable the register to be appropriately maintained or updated in a timely manner in the run up to an election.

The ESM highlighted that the team were one member of staff plus some additional hours down on what was required. However, the DSM had been given approval to appoint an extra member of staff (for two years).

The DSM confirmed that the approval had been received and advised that (at the time of audit testing) an advert was live for a full-time member of staff.

Where necessary, part-time members of staff work extra hours to help out and committee secretaries had, in the past, been called on but they are now generally working from home and are not generally available.

4.7.2 Risk: Inability to recruit canvassers.

The rate paid to canvassers is based on the salary of two part-time members of staff who are on grade G with the canvassers being paid at the bottom of the grade below (H) plus 'holiday pay' (12.07% increase) which, at the time of the initial payment was roughly £10.99 per hour.

It was noted that the canvassers received the salary uplift for 2021/22 when the pay award was approved. However, a recent advert for canvassers for 2022 still included the rate at £10.99 (although the post noted that a pay award was pending which relates to the 2022/23 award but would also cover the uplift that had already been received).

Advisory

Consideration should be given to ensuring that the correct rate of pay is advertised so that the adverts stand the best chance of attracting applicants.

The ESM advised that the canvassers had been paid through payroll in December. Timesheets had been completed by the canvassers which were checked by the ESM with the details being put onto a calculation summary spreadsheet. The figures were then input onto iTrent by the individual canvassers.

Testing confirmed that all payments had been made correctly based on the timesheets submitted and the calculated hourly rate.

4.7.3 Risk: Failure of the IT system used to maintain the register.

The main contract in place (originally with Xpress Software Solutions Limited and now with Civica Xpress (Civica UK Ltd)) includes details of support. The Application Support Team Leader (ASTL) advised that the system is supported by his team although this is more of a 'second line' (i.e. the service area will contact the system supplier if there are issues and they will provide support to them on the internal aspects when required).

The ESM advised that the Council would apply all relevant upgrades and patches. However, she highlighted that there is no test system on which to trial the amendments.

The ASTL confirmed that the Application Support Team would download the patches / updates and implement them via a system interface. He also confirmed that, with no test system available, the change requests would not be action unless approved by the ESM or the ESO.

4.7.4 Risk: Loss of data.

The ESM advised that forms and identification documents will generally be processed as soon as they are received although if it is not possible, they documentation will be locked in a cupboard. However, most documentation is received in electronic (scanned) format.

Where hard copy documents are received, they will be disposed of in the 'normal' confidential waste bins.

The ESM highlighted that canvassers will generally input the information directly onto the iPads provided, with part of the training given to them covering data security.

The ASTL confirmed that the system is included in the daily, weekly, and monthly back-up routines.

4.7.5 **Risk: Inappropriate contracts are in place / failure of supplier.**

A review of current year expenditure against the Electoral Registration cost centre was performed on Ci Anywhere. There were only two real areas of spend, covering printing and postage.

The printing contracts were recorded on Ci Anywhere, with the relevant orders highlighting if they are under contract.

Some of the postage expenditure was covered under the same orders and contract, with other spend being with the Royal Mail Group for which no specific contract was recorded although this is not thought to be an issue.

The ESM advised that the main contracts in place (i.e. the Xpress system and other services through Civica) had been extended for twelve months due to the (now abandoned) merger.

She highlighted that there are only a couple of different systems in place and the electoral management companies work with the Department for Levelling Up, Housing and Communities (DLUCH) as the systems have to work as prescribed in legislation.

The ESM advised that there is no real need for contract management for the contracts in place due to the types of services being provided and the fact that the systems are in line with Government requirements.

She highlighted that Civica user group meetings are attended to keep up to date with any changes to the system.

5 **Summary and Conclusions**

5.1 Section 3.2 sets out the risks that are under review as part of this audit. The review highlighted weaknesses against the following risks:

- Risk 1 – Fees set for accessing the register are not in line with legislation.
- Risk 10 - Lone working and physical safety of canvassers.

5.2 Further 'issues' were also identified where advisory notes have been reported. In these instances, no formal recommendations are thought to be warranted, as there is no risk if the actions are not taken.

5.3 In overall terms, however, we are able to give a SUBSTANTIAL degree of assurance that the systems and controls in place in respect of Electoral Registration are appropriate and are working effectively to help mitigate and control the identified risks.

5.4 The assurance bands are shown overleaf:

| Level of Assurance | Definition |
|--------------------|---|
| Substantial | There is a sound system of control in place and compliance with the key controls. |
| Moderate | Whilst the system of control is broadly satisfactory, some controls are weak or non-existent and there is non-compliance with several controls. |
| Limited | The system of control is generally weak and there is non-compliance with controls that do exist. |

6 Management Action

6.1 The recommendations arising above are reproduced in the attached Action Plan (Appendix A) for management attention.

Richard Barr
Audit and Risk Manager

Action Plan

Internal Audit of Electoral Registration – October 2022

| Report Ref. | Risk Area | Recommendation | Rating* | Responsible Officer(s) | Management Response | Target Date |
|-------------|---|---|---------|----------------------------|--|---|
| 4.2.1 | Financial Risks - Fees set for accessing the register are not in line with legislation. | The price charged to the credit reference agencies should be reviewed to ensure that it still meets the costs of providing the copies of the register. | Low | Electoral Services Manager | This can be reviewed during the next electoral canvass. | October 2023 |
| 4.6.1 | Health and Safety Risks - Lone working and physical safety of canvassers. | An (updated) risk assessment for canvassers should be performed and recorded on AssessNet before the next round of door-to-door canvassing is undertaken. | Medium | Electoral Services Manager | A new risk assessment will be completed for the personal canvassers carrying out the door knocking canvass ahead of the Canvass in 2023. As part this we will explore the potential of the staff alert list as set out within the advisory note. | June 2023 (in time for the next Annual Canvass) |

* The ratings refer to how the recommendation affects the overall risk and are defined as follows:

High: Issue of significant importance requiring urgent attention.
Medium: Issue of moderate importance requiring prompt attention.
Low: Issue of minor importance requiring attention.