

Title: Representation of the People (Amendment) Regulations 2018 IA No: CO 2007 RPC Reference No: N/A Lead department or agency: Cabinet Office Other departments or agencies: N/A	Impact Assessment (IA)			
	Date: 18/12/2017			
	Stage: Final			
	Source of intervention: Domestic			
	Type of measure: Secondary Legislation			
	Contact for enquiries: Will Naughton will.naughton@cabinetoffice.gov.uk			
Summary: Intervention and Options				RPC Opinion: Not Applicable

Cost of Preferred (or more likely) Option				
Total Net Present Value	Business Net Present Value	Net cost to business per year (EANDCB in 2014 prices)	One-In, Three-Out	Business Impact Target Status
-£0.12m	N/A	N/A	Not in scope	Not a regulatory provision

What is the problem under consideration? Why is government intervention necessary?

Evidence from the Government's formal consultation on anonymous registration shows that the current anonymous registration system is not sufficiently accessible to those whose safety would be at risk if their name and address appeared on the electoral register. This acts as a barrier to victims and survivors of domestic abuse who wish to exercise their right to vote. Similarly, there are instances wherein electoral registration can be inefficient, and not harmonised with regulation in the devolved administrations. Intervention is necessary in order to resolve these drawbacks. The consultation feedback received is available here (<https://www.gov.uk/government/news/government-commits-to-helping-survivors-of-domestic-abuse>)

What are the policy objectives and the intended effects?

The primary policy objective is to make the current anonymous registration scheme more accessible to victims and survivors of domestic abuse. We intend that this will enable individuals whose safety would be at risk if they appeared on the electoral register to access the anonymous registration scheme and lead to an increase in the numbers of those registered to vote anonymously, many of whom will previously have been unregistered. The policy objectives of the registration review changes intend to make the electoral registration process as a whole more effective, efficient and streamlined.

What policy options have been considered, including any alternatives to regulation? Please justify preferred option (further details in Evidence Base)

Option 1: Do nothing

Option 2: Make the following changes:

- lower the required seniority of qualified attestors in the police force from superintendent to inspector
- add health /medical professionals (including general practitioners, midwives and nurses) and refuge managers to the list of qualified attestors
- add domestic violence protection orders (DVPOs) and female genital mutilation (FGM) protection orders to the list of court orders accepted as evidence for anonymous registration
- Enact the five registration review measures (detailed in the evidence base)

Additional options were considered during the consultation stage, but are not included in this Assessment.

Will the policy be reviewed? It will not be reviewed. If applicable, set review date: Month/Year						
Does implementation go beyond minimum EU requirements?			N/A			
Are any of these organisations in scope?			Micro No	Small No	Medium No	Large No
What is the CO ₂ equivalent change in greenhouse gas emissions? (Million tonnes CO ₂ equivalent)			Traded: N/A		Non-traded: N/A	

I have read the Impact Assessment and I am satisfied that (a) it represents a fair and reasonable view of the expected costs, benefits and impact of the policy, and (b) that the benefits justify the costs.

Signed by the responsible Minister: Chris Skidmore **Date:** 18/12/2017

Summary: Analysis & Evidence

Policy Option 1

Description: Do Nothing

FULL ECONOMIC ASSESSMENT

Price Base Year 2018	PV Base Year 2018	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low: N/A	High: N/A	Best Estimate: N/A

COSTS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	N/A	N/A	N/A
High	N/A	N/A	N/A
Best Estimate	N/A	N/A	N/A

Description and scale of key monetised costs by 'main affected groups'

In line with impact assessment guidance, the Do Nothing option has zero costs or benefits as impacts are assessed as marginal changes against the Do Nothing baseline. There is, however, the possibility that policy option 2 has a negative cost – in effect, an opportunity cost associated with Do Nothing – due to the reduced attestation costs resulting from lowering the required seniority of attestors, and in turn, the associated wage costs incurred from producing attestations.

Other key non-monetised costs by 'main affected groups'

As above, the Do Nothing option has no costs or benefits as impacts are assessed as marginal changes against the Do Nothing. However, continuation of the anonymous registration scheme in its present state will maintain the inability of one group of society to fully participate in our democracy. Should the government fail to intervene, there is the potential for reputational damage connected to the negative public reaction caused by inaction.

BENEFITS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	N/A	N/A	N/A
High	N/A	N/A	N/A
Best Estimate	N/A	N/A	N/A

Description and scale of key monetised benefits by 'main affected groups'

N/A

Other key non-monetised benefits by 'main affected groups'

N/A

Key assumptions/sensitivities/risks

Discount rate (%) 3.5%

The year-on-year growth in applications is assumed to continue in a pattern similar to the last five years. Based on survey feedback and expected guidance to be produced by the Electoral Commission, it is assumed that attestations are produced as part of a meeting regarding the elector's wellbeing, and therefore that the time taken to do so is low. We have assumed that EROs spend less time processing an attestation than a court order, given the higher complexity of the latter.

BUSINESS ASSESSMENT (Option 1)

Direct impact on business (Equivalent Annual) £m:			Score for Business Impact Target (qualifying provisions only) £m:
Costs: N/A	Benefits: N/A	Net: N/A	

Summary: Analysis & Evidence

Policy Option 2

Description: Option 2

FULL ECONOMIC ASSESSMENT

Price Base Year 2018	PV Base Year 2018	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low: -£0.00m	High: -£0.46m	Best Estimate: -£0.12m

COSTS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	N/A	£0.00m	£0.00m
High	N/A	£0.05m	£0.46m
Best Estimate	N/A	£0.01m	£0.12m

Description and scale of key monetised costs by 'main affected groups'

The majority of costs result from additional staff time producing (attestors) and processing (EROs) more attestations. The consequent increase in staff costs is expected to be offset by the reduced wages arising from the reduced seniority of attestors across medical and police professions. Indeed, this results in a net saving in our 'low' estimate. Additional costs to EROs will arise from the production of anonymous poll cards and postal packs, and costs to electors from potential GP charges for attestations (detailed below).

Other key non-monetised costs by 'main affected groups'

There are no discernible non-monetised costs to this policy option. There is no significant risk that the anonymous registration channel could be used fraudulently; all other administrative burdens placed upon staff are monetised.

BENEFITS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	N/A	N/A	N/A
High	N/A	N/A	N/A
Best Estimate	N/A	N/A	N/A

Description and scale of key monetised benefits by 'main affected groups'

We expect the majority of attestations to come via attestors of lower seniority. Due to the lower wages paid to more junior attestors, offsetting savings are made.

Other key non-monetised benefits by 'main affected groups'

Those survivors/victims of domestic abuse will now be able to register to vote more easily, enabling their realisation of the fundamental democratic right to vote, avoiding reputational damage. Registration review measures will result in less time spent by EROs attempting to contact electors. GPs will be able to charge for providing attestations. We expect a minority (10%) will do so. Any charges paid for attestations to GPs by those seeking anonymous registrations is a transfer, and thus does not constitute a net benefit; however, such charges would be a monetary benefit for GPs, and a cost to individuals seeking attestation.

Key assumptions/sensitivities/risks

Discount rate (%) 3.5%

The majority of new applications are expected to be accompanied by an attestation, both because of the increase in eligible attestors, and the short life of court orders/injunctions. More attestations will come from junior attestors, particularly health professionals, because applicants will be better able to access their services. Sensitivity analysis was conducted on the number of anonymous registration applications, the proportion of attestations relative to court orders, and the composition of attestors' professions.

BUSINESS ASSESSMENT (Option 2)

Direct impact on business (Equivalent Annual) £m:			Score for Business Impact Target (qualifying provisions only) £m:
Costs: N/A	Benefits: N/A	Net: N/A	
			N/A

Evidence Base (for summary sheets)

Problem under consideration

The 2017 government manifesto pledged to “continue to modernise and improve our electoral registration process, making it as accessible as possible so that every voice counts”. The electoral register is a public document, as it has been since 1832. The register can be inspected, under supervision, at the local authority or local libraries, although no electronic copies can be made. There is a strict regime in place, set out in legislation, controlling who can access the full electoral register and for which purposes. At the time the anonymous registration scheme was introduced, it was envisaged that those looking to register anonymously might include, for example, victims of harassment or stalking, as well as some witnesses in criminal court cases. Consequently, the threshold for anonymous registration was set at quite a high level. An applicant must provide evidence which shows that their safety, or the safety of someone else in their household, is at risk. The forms of evidence which can be used are a live court injunction from a set list of orders and injunctions; or an attestation certifying the risk to their safety made by a qualifying officer, such as a Superintendent of Police or a Director of Social Services.

As laid out in the initial Policy Statement, the Government had received feedback that the anonymous registration scheme is not sufficiently accessible to some who are entitled to use it, as they are currently unable to produce the evidence required by law. The safety of these members of society is often at risk and, consequently, they may not want their names and addresses to appear on the electoral register. As a result, this is one of the barriers that prevents survivors/victims of domestic abuse from voting.

Moreover, there are instances wherein electoral registration can be ineffective, such as: in preventing fraud; in allowing registration officers to delete an elector from the register; in sending superfluous documentation; and lacking harmonisation with regulation in the devolved administrations. New legislation aims to tackle these issues.

Rationale for intervention

As above, the Government put forward its policy statement for consultation in 2017. The consultation yielded significant third party support to make the anonymous registration scheme accessible to survivors/victims of domestic abuse. The Government received formal responses to the policy statement from 13 organisations including: the Electoral Commission, the Welsh and Scottish Governments, the Association of Electoral Administrators (AEA), the Scottish Association of Administrators (SAA), several Electoral Registration Officers (EROs), groups representing survivors of domestic abuse, and organisations representing potential new attestors. In addition, the government has engaged with the national domestic violence policy coordinator, Local Authorities (LAs) and other government departments, all of which are supportive of the policy statement’s intentions to improve the accessibility of the scheme.

The Government believes that the intended intervention will balance greater access to anonymous registration for those who need it, and offer clarity and certainty for EROs as to who is eligible for anonymous registration. Furthermore, by lowering the seniority of attestors, the intervention will achieve a lower average cost per anonymous registration supported by an attestation, and indeed in our low cost estimate, may even achieve a net saving overall.

Policy Objective

The government intends, primarily, to provide greater access to the anonymous registration scheme for those whose safety would be at risk if their name and address appeared on the electoral register. The policy seeks to provide clarity and certainty for electoral administrators about who is eligible for anonymous registration, and assurance for those who might be asked to attest to the risk to an individuals’ safety that they will not be subject to inappropriate administrative burdens. Furthermore, it aims to make the anonymous registration process more streamlined and efficient, and to bring regulations in line between the UK Government and devolved administrations.

Monetised and non-monetised costs and benefits of each option (including administrative burden)

Two options are considered in this Impact Assessment. Other options were considered at an earlier stage, primarily exploring the composition of professions eligible to provide attestations, and the seniority of attestors from within each profession.

1. No change option (Option 1)

Monetised costs

- There are monetised costs of continuing the scheme, primarily the basic cost of its administration. However, given that this case forms the base case, these costs are set to nil.

Non-monetised costs

- As above, given that Option 1 forms the base case, there are no resultant additional non-monetised costs. However, continuity of the anonymous registration scheme in its present state will continue to prevent members of one group of society from exercising their right to vote. There are numerous benefits foregone as a result of not being on the electoral register such as credit-checking services and fraud protection measures.
- There will also be a social and political cost connected to the negative public reaction caused by not acting on an issue specifically brought to the attention of the government.

Monetised benefits

- There are no monetised benefits to be considered here.

Non-monetised benefits

- There are no benefits to be considered here.

2. Option 2: The laying of Statutory Instruments (SIs) to make changes to the evidentiary requirements for anonymous registration and SI to implement the five registration review measures.

This policy makes changes to the list of professions and their seniority eligible for producing attestations, and extends the list of court orders accepted without an attestation as evidence to register anonymously. Following public consultation, the following changes were concluded as the optimal policy changes to meet the Policy Objective, detailed earlier in this Impact Assessment.

The following changes are made to the list of attestors and court orders eligible to support an anonymous registration application:

1a: At present, police superintendents are eligible to produce an attestation for anonymous registration on behalf of an elector; this policy will lower the seniority required from superintendent to inspector for police officials.

1b: The policy will add certain health/medical professionals (nurses, midwives, GPs, hospital doctors and above) and refuge managers to the list of qualified attestors. This will allow officials from these professions to produce attestations for anonymous registration on behalf of electors.

1c: Add domestic violence protection orders (DVPOs) and female genital mutilation (FGM) protection orders to the list of court orders accepted as evidence for anonymous registration. The list of current orders can be seen in Annex A of the Policy Statement.

The consultation also yielded five other changes to support the policy objective in order to make the registration process more streamlined and efficient, and to harmonise with regulations in the devolved administrations:

2a: Ensuring the application form to register to vote includes a statement that the applicant must provide their previous address as part of their application and that not doing so will delay their application to be added to the electoral register;

2b: Ensuring the application form to register to vote includes a statement that in respect of nationality information, registration officers may request checks against government records or seek further supporting evidence to confirm their accuracy.

2c: Expanding the number of circumstances relating to the death of an elector where a registration officer can remove an entry from the electoral register based solely on one piece of evidence.

2d: Rationalise, where appropriate, correspondence sent by the registration officers to electors to reduce unnecessary correspondence notification letters.

2e: Ensuring the regulations in Scotland and England and Wales are harmonised in respect of the notices of alteration considered by the registration officer when determining the period in which a person can make up to, but not exceeding, two attestations.

Monetised costs

Overarching assumptions, risks and sensitivities

- Costs are expected to come entirely from the staff costs associated with producing attestations (attestors), processing applications to register (EROs), and additional election conduct costs arising from anonymising poll cards and postal vote packs. A breakdown of the expected costs for Option 1 and our central estimate for Option 2 are provided in Annex A.
- It is expected that the growth in anonymous applications to register will continue at a similar rate experienced over the last 5 years in the base case (Option 1). The projected growth rates are adjusted each year depending on the presence of national and local elections, with higher levels of registrations expected for national and local polls.
- Furthermore, it is expected that the number of eligible court orders and injunctions issued each year will grow in line with trends over the previous 5 years. Given that reported data on the number of DVPOs and FGM Protection Orders is only available within certain regions, these have been scaled up to national levels based on the proportion of the total population living within these regions.
- Sensitivity analysis was conducted on the growth rates in applications to generate low, central and high estimates for Option 2. We kept the same adjustments in place relating the growth rate to the presence of national and local elections, incorporating higher levels of year-on-year growth in the number of applications relative to the counterfactual scenario:
 - Between 5% and 15% for applications accompanied by general attestations.
 - Between 2% and 8% for court orders/injunctions due to their limited provision.
- As above, we expect that the volume of applications will increase more so via the attestation channel than via the court order/injunction channel. We expect this because DVPOs are valid only for 28 days, compared to 1 year for most existing court orders and injunctions. It is likely, then, that the additional certified order will simply be used as evidence to request an attestation from an eligible attestor.
- In our base case (Option 1), we expect that the majority of attestations (70%) are produced by members of the social services profession, with the remaining coming from the police profession. Despite the higher number of eligible police officials (approximately 1200) relative to eligible members of the social services profession (approximately 350), we base this proportional estimate on feedback from EROs in absence of reliable statistics.

- Because of the large increase in health professionals now eligible to attest (approximately 369,000 nurses, midwives, GPs and hospital doctors), we expect that the policy change (Option 2) will result in a high proportion of the increase in attestations being produced by health professionals. We also expect that a significant number of attestations will be produced by newly eligible refuge managers due to their exposure to victims of domestic violence/abuse.
- Sensitivity analysis has been conducted on the composition of professionals that produce attestations in estimating costs for Option 2. Our estimates for low, medium and high are based on a varying proportion of the total attestations produced by officials from different professions, and at different levels of seniority. We expect that due to the lowering of the seniority level required to attest, the majority of attestations will come from more junior officials. However, given the lack of reliable data, we have adopted a wide range in the composition of attestors when forming low and high estimates. Due to the high number of professions and the varying levels of seniority within each profession, these proportions are not included here.
- The shift to health professionals invites consideration of an additional risk: that of GPs charging for their attestations, as they are entitled to do so. We assume that a minority (10%) of GPs will charge for their services, ranging in value from £30-£63. Taking a weighted average of this range, we have estimated the additional GP fee per attestation at £4.
- As detailed above, the following inputs have been varied in our sensitivity analysis, forming the basis of our low, central, and high estimates.
 1. The annual increase in the number of applications to vote anonymously.
 2. The split in overall applications between attestations and court orders.
 3. The split in attestations from eligible attestors.

Staff costs – attestors:

- Producing an attestation takes time, and as a result, the officials who produce attestations on behalf of electors who wish to register anonymously will incur costs in the form of wage costs.
- Furthermore, it is assumed in the base case (Option 1) that the rate of increase in the number of annual applications – and subsequent attestations – will continue in line with historic anonymous registration growth rates. When considering Option 2, sensitivity analysis was conducted on these growth rates; each of the low, central and high estimates are based upon higher growth rates than that in the base case.
- As laid out in the Policy Statement, the proposed policy amends legislation to add officials from new professions to the list of eligible attestors. Therefore, as officials belonging to the newly eligible professions begin to produce attestations, the composition of professions that produce attestations is likely to change.
- The policy also lower the current seniority requirement within professions, making more junior officials eligible to produce attestations that will accompany electors' applications to register anonymously. As such, we expect that an increasing proportion of attestations will be produced by junior officials.

Specific assumptions:

- Data for wage costs are taken from official sources, and inflated as necessary in line with HMT Green Book principles. Due to the large number of professions and levels of seniority, these are not included here.
- The counterfactual forecast for growth rates in annual applications are based on previous trends, which historically been influenced by the conduct of General Elections and the number of Local Elections. For the low, central and high estimates used to generate Option 2, we expect higher levels of year-on-year growth of between 5% and 15% relative to the counterfactual scenario.
- Because of the reduced seniority of eligible attestors, we expect the policy proposal to result in a proportion of attestations being produced by more junior officials than at present.
- The attestors' staff time taken to produce attestations is estimated to be 10 minutes. This is based on the assumption that attestors do not meet specifically to provide attestation for

anonymous registration; rather, their attestation is provided as part of a meeting regarding the elector's wellbeing. This provides a range of unit costs per attestation, which we do not include due to the number of varying salary bands between professions upon which these calculations are based.

Staff costs – EROs:

- EROs are obligated to spend time assessing and processing applications to register anonymously. Thus, additional applications to register will incur costs in the form of wage costs – and, therefore, the overall staff costs are affected by the overall volume of expected applications to register anonymously.
- Based on qualitative feedback from an in-house survey of EROs across the country, we expect a time differential to exist between processing an application accompanied by a court order/injunction relative to an application accompanied by an attestation.

Specific assumptions:

- As above, based on the Cabinet Office's internal surveys of EROs, we have collected extensive data on staff wages, staff resourcing requirements and additional costs required to process registrations for anonymous registrations.
- The majority of EROs who responded to the survey stated that there was no additional resource required to process attestations for anonymous registrations relative to a regular application with an attestation. As such, there is no additional cost to EROs to process an anonymous registration relative to an ordinary attestation for an elector.
- Applications that are accompanied by court orders, on the other hand, are likely to take additional time for EROs to process. The median additional processing time based on survey responses is equal to 15 minutes, which is the central estimate underpinning our cost calculations. This equates to an ERO staff cost of £3.90 per court order/injunction (2018 prices). However, due to the limited time that court orders are valid for, we expect the majority of applications (60%) to be accompanied by an attestation.

Election conduct costs:

- The Cabinet Office has detailed data on election conduct costs based upon claims data from the Elections Claims Unit.
- The non-staff costs of producing anonymised poll cards and postal vote packs are equal to regular items; as such, there is no additional cost relative to an ordinary poll card and postal vote pack.
- There are, however, higher associated staff costs resulting from the manual process involved in anonymising these items.

Specific assumptions:

- Additional time spent anonymising poll cards and postal vote packs is estimated from survey data to take 3 minutes. Staff costs are calculated utilising the Cabinet Office's in-house survey of EROs.
- The average regular poll card cost is estimated at £0.18 and the cost associated with the entire process of a postal vote is estimated at £1.57; these are equal for anonymised poll cards and postal votes.

Non-monetised costs

- There are no discernible non-monetised costs to this policy option. There is no significant risk that the anonymous registration channel could be used fraudulently; all administrative burdens placed upon staff are monetised.

Monetised benefits

- As mentioned in the key monetised costs, GPs can charge for their services, and therefore for providing attestations. Should they do so, this will constitute a benefit for them (and a subsequent cost for electors who are charged for their services).
- Savings are effectively made via the lower wages paid to the lower seniority attestors, reducing the average cost of processing an anonymous registration. However, the overall effect is offset (in the central estimate) by the higher volume of attestations.

Non-monetised benefits

- Those survivors/victims of domestic abuse, for whom the current barriers to anonymous registration are high, will now be able to do so more easily.
- The electoral registration system will be more streamlined and efficient, as registration review changes mean that EROs no longer have to spend a disproportionate amount of time contacting electors.
- Both of these benefits fulfil the Government's wider aim to champion social justice, and, via higher levels of democratic participation, realise the manifesto commitment to make the electoral registration process "as accessible as possible so that every voice counts".

Preferred option

Option 2 will successfully lower barriers faced by domestic abuse survivors/victims to anonymous registration, and will streamline the electoral registration process, helping to make it more efficient.

Option 1 will not address our policy objectives.

Implementation plan

The Electoral Commission (EC) is responsible for ensuring that the public are aware of when and how to register to vote, for supporting well-run elections, and to ensure voters know everything they need to know about the process of casting their vote. The Government is therefore working with the EC to produce updated guidance on these changes ahead of local elections in May 2018. This guidance will be published concurrently to the legislative change, and the EC will update the relevant documents appropriately.

Annex A: Central estimate net cost impact (Net Present Value)

Option 1	Y0	Y1	Y2	Y3	Y4	Y5	Y6	Y7	Y8	Y9	Y10	Total
Attestor costs	£16,737.17	£17,886	£19,050	£20,289	£21,610	£25,500	£27,160	£28,929	£30,812	£32,818	£54,546	£278,602
ERO processing costs	£4,807	£5,137	£5,472	£5,828	£6,207	£7,324	£7,801	£8,309	£8,850	£9,427	£15,667	£80,023
Election conduct costs	£1,590	£474	£1,383	£2,914	£1,558	£3,662	£1,972	£4,155	£2,048	£570	£7,834	£26,569
Total costs	£23,135	£23,497	£25,905	£29,031	£29,375	£36,487	£36,934	£41,393	£41,711	£42,815	£78,047	£385,195

Option 2 (central)	Y0	Y1	Y2	Y3	Y4	Y5	Y6	Y7	Y8	Y9	Y10	Total
Attestor costs	£12,690.65	£14,565	£16,662	£19,059	£21,803	£27,449	£31,400	£35,920	£41,091	£47,006	£83,354	£338,309
ERO processing costs	£4,807	£5,518	£6,312	£7,220	£8,259	£10,398	£11,895	£13,607	£15,566	£17,807	£31,576	£128,158
Election conduct costs	£1,590	£509	£1,595	£3,610	£2,073	£5,199	£3,007	£6,804	£3,602	£1,077	£15,788	£43,264
Total costs	£19,088	£20,592	£24,569	£29,889	£32,135	£43,046	£46,302	£56,331	£60,259	£65,890	£130,718	£509,731

Net impacts (central)	Y0	Y1	Y2	Y3	Y4	Y5	Y6	Y7	Y8	Y9	Y10	Total
Attestor costs	-£4,046.52	-£3,320	-£2,388	-£1,230	£193	£1,949	£4,240	£6,991	£10,279	£14,187	£28,808	£55,661
ERO processing costs	£0	£380	£840	£1,392	£2,052	£3,074	£4,094	£5,298	£6,716	£8,380	£15,909	£48,134
Election conduct costs	£0	£35	£212	£696	£515	£1,537	£1,035	£2,649	£1,554	£507	£7,954	£16,694
Total costs	-£4,047	-£2,905	-£1,336	£858	£2,760	£6,559	£9,368	£14,938	£18,548	£23,074	£52,671	£120,490