
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations set out the detailed arrangements necessary for the conduct by the Statistics Board (“the Authority”) of the 2021 Census in England. The 2021 Census is directed to be taken on 21st March 2021 by the Census (England and Wales) Order 2020 (S.I. 2020/532) (“the Census Order”). Regulation 2 revokes the Census (England) Regulations 2010 (S.I. 2010/532).

Regulation 4 provides for the division of England into census areas, census co-ordinator areas, communal establishment co-ordinator areas and enumeration districts. It also provides for the appointment of persons to carry out the duties assigned to them under these Regulations.

Regulation 5 introduces the requirements for the questionnaires to be used during the census. The online questionnaires must have the questions and response options and the functions and features set out in Parts 1, 2, 3 and 8 of Schedule 2. The paper questionnaires must be in the form shown in Parts 4, 5, 6 and 7 of Schedule 2.

Regulation 6 provides that a person required by the Census Order to make a return (a “prescribed person”) must complete one copy of the relevant questionnaire and submit it to the Authority. Schedule 1 specifies the questionnaire that is relevant to each category of prescribed person. Regulation 6 also provides that a householder or joint householder, or a person for the time being in charge of a communal establishment, may submit a paper form in relation to the household or the communal establishment and online forms in relation to individual persons in that household or communal establishment, or the other way round.

Regulation 7 requires the Authority to provide sufficient electronic systems (a questionnaire tracking system and a fieldwork management tool) and sufficient electronic devices (census electronic devices) to support the conduct of the census.

Regulation 8 sets out the requirements for the content of the different types of census packs.

Regulation 9 provides for the Authority to send census packs by post to all households and any person within a household who wishes to make an individual return (known as an “elector”) in England of which it is aware, and if not by post then delivered by hand in accordance with regulation 10.

Regulation 10 requires the Authority to provide census co-ordinators with a list of addresses to which census packs are to be hand-delivered within a specified area, and with sufficient census packs, electronic devices and other material necessary to make those deliveries, and for census co-ordinators to provide those things to census officers. It also requires census officers to hand-deliver census packs to the addresses on the list, and to any other addresses identified by the census officer within the specified area. If the intended recipient of a census pack is not available, a census officer may leave the census pack with a responsible person acting on their behalf, or leave the census pack at the address.

Regulation 11 makes equivalent provision to regulation 10 for the hand-delivery of census packs to communal establishments. It also makes provision for the communal establishment officer to deliver individual packs to the manager of the communal establishment, to distribute individual packs to residents of the communal establishment (or to persons acting on their behalf), or to request the manager of the communal establishment to distribute the packs.

Regulation 12 requires the Authority to provide a census pack or a replacement unique access code for an online questionnaire to any prescribed person who requests one, provided that the pack or access code is relevant to that prescribed person, and the prescribed person provides the Authority with a required address.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Regulation 13 provides that every householder or elector who has received a census pack must complete and submit to the Authority the questionnaire relating to that pack on the day after census day or as soon as possible afterwards. It also provides that every elector must make sure that a household or individual questionnaire has been completed in respect of themselves, and provides that an individual questionnaire submitted by an elector overrides, in relation to information about the elector, a household questionnaire. Regulation 13 further provides that where an appointee of the Authority, such as a census officer, is satisfied that a prescribed person is incapable of completing a questionnaire or of authorising someone to act on their behalf, the appointee may make enquiries about the information needed to complete that person's questionnaire. It also provides that that information may be used for the purposes of the census.

Regulation 14 provides that every prescribed person at a communal establishment who has received a census pack (whether a communal establishment pack or an individual pack) must complete and submit to the Authority the questionnaire relating to that pack on the day after census day or as soon as possible afterwards. It also provides for the manager of a communal establishment to collect any individual paper questionnaires handed to them by residents of the communal establishment, and to post those questionnaires to the Authority or hand them to the communal establishment officer.

Regulation 15 provides that a census co-ordinator must make arrangements for a communal establishment questionnaire and individual questionnaires to be completed and submitted in relation to, and by, prescribed persons who are present at a place within Group G in Schedule 1 to the Census Order (for example, a hostel) on census night and who have no usual address.

Regulation 16 provides for appointees to make enquiries of prescribed persons from whom the Authority has received no questionnaire or an incomplete questionnaire, and to take steps to encourage or assist the submission of a completed questionnaire.

Regulation 17 requires a person in respect of whom a return is to be made under the Census Order to provide, as far as they can, the information (including personal information) that the prescribed person liable to make the return will reasonably need in order to make the return. It also requires a prescribed person to provide any appointee with such information as the appointee may reasonably require for the appointee to fulfil their duties under these Regulations. In addition, regulation 17 makes provision to prevent the unauthorised use, publication and communication of information obtained for the purpose of the census.

Regulations 18 and 19 contain provisions relating to the safe custody of questionnaires and census electronic devices and to the storage and safeguarding of personal information relating to the census.

Regulation 20 provides for the giving of either a statutory declaration or an undertaking by appointees in connection with the performance of their duties in relation to the census and the confidentiality of information obtained as a result of the census. It also provides for any suitably instructed employee of the Authority to take such a statutory declaration.

Schedule 1 sets out the questionnaire which each category of prescribed person is required to complete.

Parts 1, 2 and 3 of Schedule 2 set out the questions and response options contained in the online versions of the household, individual and communal establishment questionnaires that will be used in the census. Part 8 of Schedule 2 describes the functions and features that the online questionnaires will incorporate. Parts 4 to 7 of Schedule 2 contain copies of the paper versions of the questionnaires that will be used in the census.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.