

Comisiwn y Cynulliad Assembly Commission

NAFWC 2012 (Paper 6) Assembly case management system (electoral registers)

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



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Assembly case management system (electoral registers)

1.0 Purpose and summary of issues

- 1.1. The Assembly case management system has the facility to allow Members and their caseworkers to access a full, unedited constituency (or regional) electoral register in order to search and check constituent details. Data held within the unedited registers is strictly confidential and regulated under the *Representation of the People (England and Wales) Regulations 2001*.
- 1.2. Only bodies named within the Regulations may request a copy of the electoral register from the appropriate Electoral Returning Officer. This includes Assembly Members, but does not include the National Assembly for Wales Commission, which cannot therefore request copies on behalf of Members.
- 1.3. A request has been received that the Assembly Commission should pursue a new approach to uploading electoral registers onto the Assembly Case Management system by seeking to become an authorised body within the Regulations.

2.0 Recommendations

- 2.1. The Assembly Commission is invited to consider whether to:
- 2.2. Pursue a legislative change by approaching the Secretary of State for Wales to request a change to the relevant Regulation in order

to become a named body authorised to make requests for electoral registers on behalf of Members.

- 2.3. If a change in legislation is not achievable, the existing arrangements would be retained (whereby Members' offices individually request electronic copies of the register and forward to ICT to upload).

3.0 Discussion

- 3.1. At present, individual offices request a copy of their electronic electoral register from their returning officer (regional Members request a number of registers that make up their region) and import the data into a template to be uploaded onto the Assembly case management system. The Commission is permitted to upload copies of the register without viewing the data, and the ICT Operations service facilitates this.
- 3.2. The Case Management Project team has previously explored with the Electoral Commission Wales the possibility of informally requesting copies of the electoral register on behalf of Members given that *section 27* of the *Government of Wales Act 2006*, requires the Commission to provide "... *the property, staff and services required for the Assembly's purposes*". It was proposed that all Members would sign a declaration authorising the Commission to act on their behalf to request the registers.
- 3.3. However, Electoral Commission advice was clear, stating that the Assembly Commission is not a body named within the *Representation of the People (England and Wales) Regulations 2001*, and is not therefore entitled to make requests of Electoral Returning Officers to obtain the registers on behalf of Members.
- 3.4. A change in legislation allowing the Assembly Commission to become a named body would be required to remove the need for Members' offices to request copies and import the data into a template document for upload.
- 3.5. The UK government would have to agree to any request to amend the Regulations (which, if agreed, may further require public consultation) and this could therefore take some time to achieve.

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- 3.6. If the current arrangements are maintained, responsibility would remain within the office of the Member to request a copy of the register on an annual basis (by emailing the Electoral Returning Officer), transferring the data into the template and forwarding to ICT Operations to upload.
- 3.7. Were the Assembly Commission to become a named body, the responsibility for obtaining copies of registers would transfer to Assembly Commission ICT staff, who would request the registers on an annual basis, and import and upload the data onto the case management system. As a consequence, Service Level Agreements between ICT and Members would need to be reviewed at a later date to agree timeframes for delivery of electoral registers.
- 3.8. Although registers are revised and reissued on a monthly basis between December–September of each year, it is proposed that Assembly Commission staff would only upload one, annual register onto the Assembly case management system. This is due to resource implications of providing monthly updates for each constituency and region. Members that would prefer monthly updates would still be able to request copies from the Returning Officers themselves, and forward to ICT for uploading.