

Central Scotland Valuation Joint Board - CONFIRMATION DRY RUN 2013**PRIVACY IMPACT ASSESSMENT****1. Background**

1.1. The Electoral Registration and Administration Act 2013 speeds up the introduction of individual electoral registration (IER) in Great Britain in order to modernise the electoral registration system and tackle fraud. Electors will be asked to register individually from 2014 and will be required to provide identifying information which will be checked before they are added to the electoral register. This process will replace the existing system of household registration.

1.2. Following data matching pilot schemes in 2011 and 2012, a process of “confirmation” matching is to be used in order to simplify the transition to IER for the majority of existing electors¹. At the transition to IER in 2014, existing entries on the register will be compared with data held by DWP. Those entries which are matched will be confirmed and transferred automatically to the IER register without the need for the individuals concerned to provide identifying information.

1.3. The confirmation dry run. Ahead of the live use of confirmation a “confirmation dry run” is to take place during summer 2013, enabled by the Electoral Registration (Disclosure of Electoral Registers) Regulations 2013². All electoral registration officers (EROs) in Great Britain are required to take part. The dry run exercise will involve matching all electoral registers with the DWP CIS database and returning the results to EROs. This work will provide an opportunity to test the system and also to test the match rate for all EROs for the purposes of resource planning. The Electoral Commission has been asked to conduct an evaluation of the dry run.

1.4. Local data matching. While data matching against DWP CIS data can confirm the majority of electors on the register, some electors who are accurately included on the register will not be successfully matched within DWP data. Supplementary data matching against local data sets held by the

¹ *Government Response to pre-legislative scrutiny and public consultation on Individual Electoral Registration and amendment to Electoral Registration law*, February 2012, Cm 8245.

² S.I. 2013 No. 760

ERO's local authority, or the registers of births, marriages and deaths, may be a useful tool for confirming additional electors who cannot be matched using DWP data.³ In addition to comparing the register against DWP CIS data, as part of the dry run Central Scotland Valuation Joint Board expects to compare the electoral register against the following local data sets:

- ***Council Tax extract*** held by ***Falkirk Council***
- ***Council Tax extract*** held by ***Stirling Council***
- **Other datasets may be used if suitable IT software purchased or programs developed in-house or solutions offered by EMS suppliers are available.**

1.5. The confirmation dry run is a practice exercise in preparation for the introduction of IER in 2014. It is not an early launch of IER and, as such, no elector will automatically be removed from the electoral register using the results of the dry run and/or local data matching.

1.6. The confirmation dry run must comply with the relevant legislation⁴ and HM Government information security standards⁵, and with the eight data protection principles which provide that data must be:

- fairly and lawfully processed;
- processed for specific and lawful purposes and not further processed in a way that is incompatible with the original purpose;

³ See regulation 35 in each of the Representation of the People (England and Wales) Regulations 2001, SI 2001/341 and the Representation of the People (Scotland) Regulations 2001 SI 2001/497.

⁴ In particular: Data Protection Act 1998; Representation of the People Act (England and Wales) Regulations 2001; Representation of the People Act (Scotland) Regulations 2001; Electoral Registration and Administration Act 2013; Electoral Registration (Disclosure of Electoral Registers) Regulations 2013; Freedom of Information Act 2000.

⁵ CESG Information Assurance Standards, in particular IS5 (Secure Sanitisation) and IS6 (Protecting Personal Data and Managing Information Risk).

- adequate, relevant and not excessive;
- accurate and up to date;
- not kept for longer than necessary;
- processed in accordance with the data subject's rights;
- kept secure;
- not transferred to countries outside the European Economic Area unless an adequate level of protection exists or an exemption applies.

1.7. This Privacy Impact Assessment (PIA) describes how privacy issues which may arise from the confirmation dry run will be addressed and how the risks will be mitigated. The PIA may be updated or amended as necessary as the dry run proceeds.

2. Confirmation dry run – general approach

2.1. On a date to be assigned by Cabinet Office the ERO will, as provided by regulation 2 of the Electoral Registration (Disclosure of Electoral Registers) Regulations 2013, supply to Cabinet Office on behalf of the Lord President of the Council an extract from their electoral register. Data will be transferred by the ERO uploading their data into the Cabinet Office IER Digital Service. The Cabinet Office IER Digital Service will then transfer the data electronically to DWP for processing.

2.2. DWP will compare the extract of the electoral register against DWP and Department for Social Development in Northern Ireland (DSDNI) data on the DWP CIS database and against HMRC child benefit and tax credit data. DWP will then provide to the ERO (via Cabinet Office) a matching report for each of these matches.

2.3. Local data matching. In addition to matching the register against data held by DWP we intend to carry out supplementary local data matching so that we can assess whether, and to what extent, local data sets will help us to

confirm existing electors on the register on the transition to IER (please see paragraph 1.4 above).

- 2.4.** At the end of the confirmation dry run we will assess its impact and report our findings to the Cabinet Office and the Electoral Commission. We will report the number of records sent and received and the number of electors it would be possible to confirm on the register. The information reported will not contain any personal data relating to individuals.

3. Key Questions

3.1. Does the dry run apply new or additional information technologies that substantially increase the potential for invasion of privacy?

We will be using information technology to compare personal information on the electoral register against personal information held by DWP. Consequently we will be accessing a rich government-held data source, and this is specifically provided for in the statutory basis for the dry run: the Electoral Registration (Disclosure of Electoral Registers) Regulations 2013 (“the 2013 Regulations”) require EROs in Great Britain to disclose a copy of their electoral registers, together with any related information which is maintained by them and which relates to the information contained in the electoral registers. The regulations authorise the Secretary of State for Work and Pensions to compare the register against specified databases held by DWP and to disclose the results to the Lord President of the Council, who may then disclose them to the ERO. Regulation 3 of the 2013 Regulations provides that information may only be disclosed for the purposes set out in paragraph 1A(1) of Schedule 2 to the Representation of the People Act 1983, or for criminal or civil proceedings, and makes it an offence to disclose the information for any other purpose. In addition, the data safeguarding arrangements for the confirmation dry run are clearly articulated in Data Sharing Instructions imposed by the Lord President in accordance with Regulation 4 of the 2013 Regulations, and all taking part will in any case be required to comply with the applicable provisions of the Data Protection Act throughout.

3.2. Does the dry run involve new identifiers, re-use of existing identifiers, or intrusive identification, identity authentication or identity management processes?

In order to match data we are re-using identifiers for currently-registered electors, but only those which are already found on the electoral register.

3.3. Might the dry run have the effect of denying anonymity, or converting transactions that could previously be conducted anonymously into identified transactions?

EROs will exclude anonymous elector data from the extract of the electoral register transmitted to DWP. DWP, DSDNI and HMRC special customer records will not be matched with the extract of the electoral register, and any such records that may exist on the electoral register sent to DWP will automatically receive a “not matched” score.

3.4. Does the dry run involve multiple organisations, whether they are government agencies (e.g. in ‘joined-up government’ initiatives) or private sector organisations (e.g. as outsourced service providers or as ‘business partners’)?

Yes – the organisations involved in our confirmation dry run are:

- Department for Work and Pensions
- Cabinet Office
- FCO Services
- Vodafone Group plc
- *Halarose Ltd*
- *Oynx Group*
- *Central Scotland Valuation Joint Board*
- *Falkirk Council*
- *Stirling Council*
- *Clackmannanshire Council*

3.5. Does the dry run involve new or significantly changed handling of personal data that is of particular concern to individuals?

Yes, as explained in paragraphs 3.1 and 3.2 above, but the storage and handling of data will be closely controlled within arrangements outlined at section 4 below.

3.6. Does the dry run involve new or significantly changed handling of a considerable amount of personal data about each individual in the database?

The data provided about an individual under the dry run will comprise electoral number, first name; last name; middle name; date of birth; nationality; whether included in the edited register; current address; current postcode; current Unique Property Reference Number; previous address; previous Unique Property Reference Number; and previous postcode. Information kept in the same database and which relates to the source, collection or recording of an item of data (e.g. the date on which an address was last updated) will also be provided.

3.7. Does the dry run involve new or significantly changed handling of personal data about a large number of individuals?

Yes - the dry run will access electors' personal data held on the electoral register and in other local authority records and electors' personal data held by a Government department. However, EROs and their staff and central government officials involved in the dry run are well accustomed to managing and processing personal data and are familiar with the legal and administrative requirements for doing so.

3.8. Does the dry run relate to data processing which is in any way exempt from legislative privacy protections?

Yes. Paragraph 1A(4) of Schedule 2 to the Representation of the People Act 1983 enables the data to be provided despite any statutory or other restriction on the disclosure of information. In any event, the dry run will comply with data processing principles set out at paragraph 1.5 above.

3.9. Does the dry run involve systematic disclosure of personal data to or access by any third party which is not subject to comparable privacy regulation?

No. The organisations involved in the confirmation dry run are all subject to extensive legal scrutiny.

4. Compliance with privacy requirements and the data protection principles

4.1. The statutory instrument governing the confirmation dry run will open a legal gateway for the data to be shared. It requires that any person who discloses information under the regulations must process it in accordance with any requirements as to the processing of that information that may have been imposed by the Lord President in writing, including requirements as to its transfer, storage, destruction and security; and any such requirements must be imposed by the Lord President before an ERO is required to disclose the information. As indicated in paragraph 3.1 such requirements are being imposed.

4.2. The confirmation dry run will comply with the data protection principles in the following ways.

Data Protection Principles – data must be...	How our confirmation dry run will comply
Fairly and lawfully processed	<p>Processing is permitted by primary legislation. Public authorities will use the data received from the ERO solely for the purpose of providing the ERO with a matching report.</p> <p>Only EROs and support staff will have access to data received from public authorities. Other council staff will not have access to this data.</p>
Processed for specific and lawful purposes and not further processed in a way that is incompatible with the original purposes	<p>The ERO will use the data solely for the purposes provided for in the 2013 Regulations.</p>
Adequate, relevant but not excessive	<p>Only the information required for the purposes of the confirmation dry run and authorised to be provided by the relevant statutory instrument will be used.</p>
Accurate and up to date	<p>The DWP CIS database is a trusted Government data source. However, the ability of CIS to provide accurate information for matching is based on the feeds of information from its own sources being informed of changes of a customer's circumstance. For example, if a person changes address, but does not notify any of the systems which feed CIS, then CIS will continue to show their old address. There may also be a time lag between a change of circumstances being notified to a feeder system and its appearing on CIS.</p>
Not kept for longer than is	<p>The data sharing instructions imposed</p>

Data Protection Principles – data must be...	How our confirmation dry run will comply
necessary	<p>by the Lord President in accordance with Regulation 4 of the 2013 Regulations require that EROs securely destroy all data received for the purposes of the dry run at the end of the exercise, except where the ERO is aware that information may need to be disclosed for civil or criminal proceedings. The data to be securely destroyed includes the destruction of electronic mails, paper copies and all electronic copies. Printed material will be shredded, or disposed of in a sealed confidential waste container.</p> <p>Where data is required for civil or criminal proceedings, the minimum amount of data necessary to those proceedings may be retained for so long as the proceedings last.</p> <p>Electronic files which may be of interest to the Electoral Commission in their evaluation of the dry run may be retained until the evaluation is complete.</p> <p>Public authorities will securely destroy all ERO-supplied data at the end of the dry run.</p>
Processed in accordance with the data subject's rights	<p>Data will be confidentially processed.</p> <p>No data about anonymous electors will be sent to DWP.</p> <p>DWP, DSDNI and HMRC sensitive customer records will not be matched with the extract of the electoral register.</p>

Data Protection Principles – data must be...	How our confirmation dry run will comply
Kept secure	<p>All activities involved in the confirmation dry run must comply with applicable legislation and HM Government policy, including the Data Protection Act 1998; the 2013 Regulations and Lord President's requirements imposed in accordance with them; HM Government Security Policy Framework; and Government Information Assurance Standards.</p> <p>Data will be transferred and stored securely. Only named individuals will be authorised to transfer data.</p> <p>Protection of information training will be provided to all staff involved before they have access to data used in the confirmation dry run.</p>
Not transferred to countries outside the EEA unless exemption applies or adequate protection is ensured	The data will not be transferred to countries outside the United Kingdom.

5. Stakeholders

Stakeholders are:

- The ERO
- *Halarose Ltd*
- *Oynx Group*
- Falkirk Council
- Stirling Council
- Clackmannanshire Council

- DWP, DSDNI and HMRC
- The Cabinet Office
- FCO Services
- Vodafone Group plc
- The Information Commissioner
- The Electoral Commission
- Elected Council Members
- Residents in the electoral area
- *Returning Officer Falkirk Council*
- *Returning Officer Stirling Council*
- *Returning Officer Clackmannanshire Council*
- *Assessor for Central Scotland*

6. Contact details

For further information regarding the confirmation dry run in *Central Scotland Valuation Joint Board* please contact:

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