

Dunbartonshire and Argyll & Bute Valuation Joint Board

Canvass Reform – National Data Matching Data Protection Impact Assessment

This DPIA is prepared in accordance with the ICO's DPIA template and follows the process set out in the DPIA's guidance and DABVJB's DPIA Procedures.

Controller details

Name of controller	David Thomson
Subject/title of DPO	ERO for Dunbartonshire and Argyll & Bute
Name of controller contact /DPO (delete as appropriate)	G Oag

Step 1: Identify the need for a DPIA

Explain broadly what project aims to achieve and what type of processing it involves. You may find it helpful to refer or link to other documents, such as a project proposal. Summarise why you identified the need for a DPIA.

The Electoral Registration Officer (ERO) is required by law to collate and maintain, for their area of responsibility:-

1. a register of parliamentary electors
2. a register of local government electors ¹
3. a register of relevant citizens of the European Union entitled to vote at European Parliamentary elections ²
4. a register of those peers living outside the UK who have made a declaration to vote at European Parliamentary elections ³
5. These registers contain the details of all those who are registered to vote and combined form the Electoral Register.

The ERO has a duty under Section 9A of the Representation People Act 1983 (as amended by the Electoral Registration and Administration Act 2013) to take all necessary steps to comply with his/her duty to maintain the electoral register, and to ensure, as far as is reasonably practicable, that all those eligible (and no others) are registered in it.

The necessary steps referred to above include conducting an annual canvass which must comprise of:

- Sending the form to be used for the annual canvass more than once to any address
- Making one or more house to house enquiries
- Making contact by other such means
- Inspecting any records which the ERO is permitted to inspect

Regulation 32ZBB of The Representation of the People (Scotland) Regulations 2001 (as amended) and The Representation of the People (Annual Canvass) Amendment (Scotland) Order 2020 have introduced an annual mandatory national data matching step, alongside a discretionary local data matching step, at the start of each canvass from July 2020. EROs must disclose data to the Cabinet Office and electors contained in that data supply will be matched against national data and any local datasets the ERO may wish to use, and the results will determine each elector 'matched' or 'unmatched'.

These match results will then be collated at the household level to give an overall match result for each property. The results from the data matching step will

¹ Representation of the People Act (RPA) 1983 Section 9

² European Parliamentary Elections (Franchise of Relevant Citizens of the Union) Regulations 2001 – Reg 5(2)

³ RPA 1985 – Section 3 (7)

determine whether the property can receive a lighter touch canvass or a full canvass.

Regulation 23 of the Representation of the People (Scotland) Regulations 2001 (RPR 2001) authorises an ERO to require any person to provide information required for the purposes of the duty to maintain the register and Regulation 35 of the Representation of the People (Scotland) Regulations 2001 authorises an ERO to inspect records held by the council which appoints them.

The legal power to carry out the data matching is provided by The Representation of the People (Scotland) Regulations (2001) as amended by:-

- i) the Representation of the People (Annual Canvass) (Amendment) Regulations 2019,
- ii) the Representation of the People (Annual Canvass) Amendment (Scotland) Order 2020 and
- iii) The Representation of the People (Data Matching) (Scotland) Regulations 2020

This Data Protection Impact Assessment (DPIA) describes how data protection and privacy issues relating to national data match have been identified, addressed and mitigated. The benefits of this are:

- The identification and management of risk
- Avoidance of unnecessary costs
- Avoiding loss of trust and reputation
- Meeting and exceeding legal requirements

This DPIA may be updated or amended to reflect any further changes regarding Electoral Registration.

Guidance from the ICO and the Article 29 Working Party states that matching or combining data sets originating from two or more data processing operations performed for different purposes and /or by different data controllers in a way that would exceed the reasonable expectations of the data subject could be grounds where a DPIA should be undertaken.

Step 2: Describe the processing

Describe the nature of the processing: how will you collect, use, store and delete data? What is the source of the data? Will you be sharing data with anyone? You might find it useful to refer to a flow diagram or other way of describing data flows. What types of processing identified as likely high risk are involved?

National data matching will involve extracting a sub-set of the electoral register canvass and sending it to the Cabinet Office's IER Digital Service (IER DS) where a match will be completed against the Department for Works and Pensions (DWP) national data set.

The IER DS is a series of interconnecting digital applications which govern the receipt, transmission, and processing of data, and is also used to process applications to register under IER. The process will be completed by the DWP with the IER DS used as a secure conduit to transmit the ERO's data to the DWP and, subsequently, to allow EROs to retrieve their DWP data match results.

Each elector contained in the register will be given a 'match' or 'unmatched' status and these match results will then be provided to the ERO. The resultant match data will be uploaded to the ERO's Electoral Management System (EMS). The aggregate results of the matching test will be analysed at a household level and used to inform the reformed canvass process.

Register data will be sent and results will be received electronically in a secure manner.

No special category information is involved and the individual results of the matching exercise will not be shared.

The electoral register extract and any data set produced included in the match results will be retained only for as long as required for the purposes of the identifying the relevant canvass approach for each household and deleted thereafter.

Describe the scope of the processing: what is the nature of the data, and does it include special category or criminal offence data? How much data will you be collecting and using? How often? How long will you keep it? How many individuals are affected? What geographical area does it cover?

The data supplied will contain the full electoral register, subject to a limited number of exceptions. The data will include:-

Full name of electors within each household

Full residential address of each elector

Electoral Polling District

Electoral Ward

Electoral Constituency

Unique Property Reference Number (UPRN)

No special category or criminal offence data is being transferred.

The data will include the names and addresses of up to 220,000 electors of the DAB Valuation Joint Board area.

The data will only be retained for the purposes of carrying out the annual canvass.

Describe the context of the processing: what is the nature of your relationship with the individuals? How much control will they have? Would they expect you to use their data in this way? Do they include children or other vulnerable groups? Are there prior concerns over this type of processing or security flaws? Is it novel in any way? What is the current state of technology in this area? Are there any current issues of public concern that you should factor in? Are you signed up to any approved code of conduct or certification scheme (once any have been approved)?

The individuals in the data matching process will be electors or former electors. This will include 16 or 17 year olds who are already registered for electoral purposes but there will be no reference to vulnerable groups

Electors will have no control over the use of the data and it is unlikely that they would expect this processing to proceed but the match process will be used to identify the format of the canvass which is most appropriate for each household and should reduce the inconvenience of having to complete a form return in the majority of circumstances. The individual matched data will not be shared and the overall outcome of the matching will only be used to assist in the preparations for the annual canvass.

The overall intention of the canvass reform is to enable the process to be tailored in accordance with both the ERO and the electors' needs and preferences so it should be to the ultimate benefit of current, potential and past electors of the VJB area.

The matching process will use a recently updated version of the ERO's EMS which is held in a secure environment and is subject to all the normal controls expected around Electoral Register data.

The data will be transferred using established secure methods.

Describe the purposes of the processing: what do you want to achieve? What is the intended effect on individuals? What are the benefits of the processing – for you, and more broadly?

The overall outcome of the matching will be used to assist in the preparations for the annual canvass. The match process will be used to identify the format of the canvass which is most appropriate for each household and should reduce inconvenience of completing a return in the majority of circumstances.

Generally, the processing of data will:

- i) Provide the ERO with information to plan the canvass
- ii) Help justify the planning decisions made by the ERO regarding future interactions with electors
- iii) Assist with the overall aims of providing a better, more targeted and efficient annual canvass
- iv) Reduce the costs to the ERO of completing an annual canvass and hence benefit the public purse.

Step 3: Consultation process

Consider how to consult with relevant stakeholders: describe when and how you will seek individuals' views – or justify why it's not appropriate to do so. Who else do you need to involve within your organisation? Do you need to ask your processors to assist? Do you plan to consult information security experts, or any other experts?

The appropriateness of the process is covered by the new legislation. No electors were consulted by the ERO in advance of the process being introduced.

Step 4: Assess necessity and proportionality

Describe compliance and proportionality measures, in particular: what is your lawful basis for processing? Does the processing actually achieve your purpose? Is there another way to achieve the same outcome? How will you prevent function creep? How will you ensure data quality and data minimisation? What information will you give individuals? How will you help to support their rights? What measures do you take to ensure processors comply? How do you safeguard any international transfers?

The legal power to carry out the data matching is specifically provided by The Representation of the People (Scotland) Regulations (2001) as amended by:-

- i) the Representation of the People (Annual Canvass) (Amendment) Regulations 2019,
- ii) the Representation of the People (Annual Canvass) Amendment (Scotland) Order 2020 and

Only such data as will be required for the purpose of matching will be sent and only the match/no match indicator and a data performance score, along with verification statistics, will be provided as additional information in the data provided to EROs.

The decisions on which canvass approach to adopt should help achieve improved service to electors and provide efficiencies for the ERO.

Data to be supplied, match outcomes and the security around data transfer will be in a form prescribed to EMS suppliers by the Cabinet Office and retention for limited periods should ensure no further use is made of the data.

Step 5: Identify and assess risks

Describe source of risk and nature of potential impact on individuals. Include associated compliance and corporate risks as necessary.	Likelihood of harm	Severity of harm	Overall risk
<p>Privacy Notice not drafted correctly and not transparent enough. Information shared without individual's knowledge which may result in unintended harm, publicity or unwanted 3rd party contact.</p>	Remote, possible or probable	Minimal, significant or severe	Low, medium or high
<p>More information than is required is provided to IER DS</p>	Remote	Minimal	Low
<p>Inaccurate or out of date information retained</p>	Remote	Minimal	Low
<p>Information about an individual is kept longer than necessary due to failure to apply retention and policy.</p>	Possible	Minimal	Low
<p>Unauthorised access to information due to inadequate control measures and insecure environment.</p>	Possible	Significant	Medium

Step 6: Identify measures to reduce risk

Identify additional measures you could take to reduce or eliminate risks identified as medium or high risk in step 5

Some mitigation steps are included here, even where the risks above are not identified as medium or high.

Risk	Options to reduce or eliminate risk	Effect on risk	Residual risk	Measure approved
		Eliminated reduced accepted	Low medium high	Yes/no
Privacy Notice not drafted correctly and not transparent enough. Information shared without individual's knowledge which may result in unintended harm, publicity or unwanted 3rd party contact.	ERO Privacy statement is specific and includes the legal basis for collecting data as well as highlighting what will happen to an individual's data and who it may be shared with. The privacy statement is available online and in paper form. DPIA published	Reduced	Low	Yes
More information than is required is provided to the IER DS	Data requirements are well understood and EMS suppliers are aware of the specification.	Eliminated	Low	Yes
Inaccurate or out of date	Extracts from the Electoral Register as it stands at the	Eliminated	Low	Yes

information retained	time of the match will be used thereby eliminating the possibility of outdated information being used.			
Information about an individual is kept longer than necessary due to failure to apply retention and policy	Results to be retained only for purposes of effecting the annual canvass.	Reduced	Low	Yes
Unauthorised access to information due to inadequate control measures and insecure environment.	Access to data provided is limited to a small number of staff. Existing physical security at all locations is appropriate and the new process adds no significant additional risk. Data will be shared with and received from IER DS via known secure route	Reduced	Low	Yes

Step 7: Sign off and record outcomes

Item	Name/position/date	Notes
Measures approved by:	D C Thomson 26 th June 2020	Process is justified and proportionate
Residual risks approved by:	D C Thomson 26 th June 2020	Acceptable – no additional new risk to individuals
DPO advice provided:	G Oag 26 th June 2020	Comments provided at draft stage – no further comments

<p>Summary of DPO advice: Minor comments provided at draft stage – incorporated in final version</p>		
DPO advice accepted or overruled by:	Comment son draft all accepted in this version	If overruled, you must explain your reasons
<p>Comments:</p>		
Consultation responses reviewed by:		If your decision departs from individuals' views, you must explain your reasons
<p>Comments:</p>		
This DPIA will kept under review by:	D C Thomson	The DPO should also review ongoing compliance with DPIA