

Guidance to Chief Social Work Officers on Anonymous Voter Registration

Background

The electoral register is a public document and can be viewed at the Electoral Registration Officer's office, and any other place he or she decides to make it available for public inspection. Members of the public can inspect the register to check whether they are registered, or the registered details of other people. Anyone can object to a person's registration if they are not entitled to be registered at a particular address or not entitled to be registered at all. This is one of the checks available to stop fraudulent electoral registration.

A new law came into force in 2007 which enables certain people to register to vote without having their name and address displayed on the electoral roll. This is called anonymous voter registration. It is aimed at helping people whose safety would be at risk if their name and address were made public through the electoral register. It is also available to those with whom they share a house. Examples of people likely to wish to register to vote anonymously are: people fleeing domestic abuse or people being harassed or stalked but there could be other circumstances where a person or a person in their household is at risk or deemed to be at risk.

To facilitate applications, and allow people access to protection they need in order to be able to vote, it is important that Chief Social Workers are aware of their responsibilities under the law.

Application Process

People who wish to register to vote in this way have to fill out a form: 'an application for anonymous registration' (an example from the Electoral Commission's website is attached at Annex A for your information) which must be sent or presented in person by the applicant to their local Electoral Registration Office. With this form they must attach either a current court order or injunction, issued for their protection or the protection of someone in their household; or a declaration from a qualifying officer stating that their safety would be compromised if their details were made public. This declaration is known as an "attestation".

This supporting evidence is essential to maintain the integrity of the electoral register i.e. to ensure anonymous registration is not abused by those who simply do not want their details to appear on the electoral roll.

A qualifying officer includes a chief social work officer in Scotland (or the equivalent in England, Wales or Northern Ireland i.e. any director of adult social services in England, any director of children's services in England, any director of social services in Wales, any director of social services of a Health and Social Services Board in Northern Ireland, or any executive director of social work of a Health and Social Services Trust in Northern Ireland). It could also be a police officer (rank of superintendent or above) from any force in the UK or the Director General of the Security Service or the Director General of the Serious Organised Crime Agency. Only they can attest an application- it cannot be delegated to a junior person in the relevant organisation.

What you have to do as a Chief Social Work Officer

If you are asked to provide a declaration on, or to attest, an application for anonymous voter registration, the notes below should help you reach a decision on whether or not to do so.

Am I the right person to make a declaration on this person's behalf?

As Chief Social Work Officer you have to consider firstly whether you are the right person to make a decision. The following questions will help you to do this.

- Have you or staff in your council had contact with this person and therefore know about their circumstances? If so, you may be the best person to provide a declaration. (You do not need to be the CSWO for the area that the person wishes to register to vote in).
- Has this person been in contact with social work services elsewhere? For example, they may have moved into your local authority area recently. If they have, you may decide to refer them to the chief social work officer (or equivalent if in another part of the UK- see titles provided earlier) in that area. The CSWO making the declaration does not have to be within the same council area as the applicant.
- Has this person ever been in contact with the police about their concerns for their safety? If so, you may wish to refer them to the police force as they may have better information on which to base an assessment.

If you decide that someone else is better placed to make the decision, you should, where possible advise the applicant who that person is and how to contact them. For example it may be more appropriate for them to contact the police; or they might want to seek advice from their local electoral registration officer.

Does this person have a valid reason for asking to ask to register anonymously?

If you decide you are the appropriate officer then the next step is to satisfy yourself that the applicant has a valid reason for making the application. The notes below may help you with this.

- You are being asked to certify that the safety of the applicant, or of another named person of the same household as them, would be at risk if their name and address was published in the electoral register.
- This is at your discretion. As a professional you must make a judgement as to whether or not you believe that this person's safety would be compromised if their details appeared on the electoral register.
- You can look for supporting evidence either from staff in your council, other organisations that have dealt with this person e.g. women's aid or a housing organisation.
- Equally you may have no other evidence, but on the strength of the person's claims to you about their safety, decide to support their application.

How long should the attestation be in place?

It is at your discretion as to how long the attestation lasts. This can be between 1 and 5 years. If you feel the threat to the applicant will go away after a specific period of time, you can restrict the attestation to that length of time. The applicant can apply at anytime to give up their anonymous registration should they feel that any threat to them has gone away before the attestation has expired.

Be aware that the risk to those experiencing domestic abuse, particularly women does not necessarily diminish once they have left the perpetrator of the abuse. On the contrary, the risk often increases in seriousness and can be present for extended periods, even years.”

Attesting the application form

As you can see on the application form in Annex A, you must sign and date the attestation.

Outcome of application

It is important to note that final decisions on applications for anonymous registration rest with the relevant Electoral Registration Officer. You may want to make that clear to the applicant. The applicant will receive a letter from the Electoral Registration Officer confirming the outcome of their application.

May 2012