

Office for  
Students



# Regulatory Advice 11

Guidance for providers about  
facilitating electoral registration

**Reference** OfS 2018.36

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# Introduction

1. This regulatory advice sets out guidance for higher education providers in England that are registered with the Office for Students (OfS). This constitutes the guidance referred to in general ongoing condition of registration E5, as set out in the OfS's Regulatory framework (OfS 2018.01)<sup>1</sup>.
2. This guidance should be read in conjunction with the regulatory framework, which sets out in full the approach that we will take to the regulation of providers. If there are any inconsistencies between the regulatory framework and this document then the regulatory framework will prevail.

## What is the facilitation of electoral registration condition?

3. Our regulatory framework includes the following ongoing condition of registration that applies to all registered providers:

**Condition E5:** The provider must comply with guidance published by the OfS to facilitate, in cooperation with electoral registration officers, the electoral registration of students.

4. 'Guidance published by the OfS' means directions set out by the OfS under this condition of registration.
5. 'Electoral Registration Officer' means a registration officer appointed under section 8(2) of the Representation of the People Act 1983<sup>2</sup>.
6. 'The electoral registration of students' means the registration of students on a register of electors maintained by such an officer under section 9 of that Act.

## Requirements for registered providers

### Working with electoral registration officers

7. Higher education providers that are registered with the Office for Students and have students who are eligible for electoral registration<sup>3</sup> are required to comply with requests from Electoral Registration Officers (EROs), under regulation 23 of the Representation of the People (England and Wales) Regulations 2001, for information about students which the ERO requires for the purposes of maintaining the electoral register.

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<sup>1</sup> 'Securing student success: Regulatory framework for higher education in England', available online at [www.officeforstudents.org.uk/publications/securing-student-success-regulatory-framework-for-higher-education-in-england/](http://www.officeforstudents.org.uk/publications/securing-student-success-regulatory-framework-for-higher-education-in-england/).

<sup>2</sup> See [www.legislation.gov.uk/ukpga/1983/2](http://www.legislation.gov.uk/ukpga/1983/2).

<sup>3</sup> More information about eligibility to register can be found in 'Guidance for electoral registration officers: Part 2 – The registration framework', available online at <https://www.electoralcommission.org.uk/i-am-a/electoral-administrator/running-electoral-registration>.

## Section 23 of the Representation of the People (England and Wales) Regulations 2001

### Power to require information

23. – (1) A registration officer may require any person to give information required for the purposes of that officer's duties in maintaining registers of parliamentary and local government electors.

(2) A registration officer is under a duty to require persons to give information required for the purposes of that officer's duty under section 3(1) of the Juries Act 1974(1).

(3) If any person –

(a) fails to comply with, or

(b) gives false information in pursuance of,

any such requisition of the registration officer as is mentioned in this regulation, he shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

8. Given this requirement, a registered higher education provider must ensure that it understands its duty to comply with requests for student information (taking into account data protection requirements) for the purposes of electoral registration under regulation 23 of the Representation of the People (England and Wales) Regulations 2001.
9. Providers should cooperate and work effectively in partnership with the relevant ERO or EROs for the purpose of facilitating the electoral registration of students who are registered on their higher education courses.
10. Providers should consider how they can most effectively cooperate with EROs and develop these partnerships given their own local circumstances and the needs of students and of EROs. Contact information for EROs is published by the Electoral Commission<sup>4</sup>. Providers should be mindful of the fact that their students may fall within the responsibilities of multiple EROs (for instance if some campuses are a significant distance from the main premises) and that they will need to cooperate with all of them.

## How the OfS will monitor and assess compliance

11. In line with the OfS's overall risk-based approach to regulation, we will focus our attention on providers where issues have been raised that suggest that the provider may not be cooperating effectively with EROs to facilitate electoral registration. This includes in particular complaints and evidence provided to us by EROs, as well as by students and their representatives. We may also consider compliance with this condition as part of our approach to the random sampling of providers, or scrutinise more closely where there is evidence of breach, or of

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<sup>4</sup> See <https://www.yourvotematters.co.uk/register-to-vote/find-your-local-authority>.

increased risk of a breach, in other related conditions that suggests concerns about management and governance at a provider.

12. Where the OfS asks a provider to demonstrate compliance with the electoral registration condition it can do so by providing appropriate evidence that:
  - a. When required by an ERO under regulation 23 of the Representation of the People (England and Wales) Regulations 2001 to give information, the provider has complied with the requirement, taking into account its obligations under data protection legislation.
  - b. The provider has cooperated with the relevant ERO or EROs in such a way as to develop a good working partnership, and can demonstrate how that operates and what steps it has taken to achieve this.
13. Evidence presented by the provider will be considered alongside any other relevant evidence, including from EROs, students and their representatives.
14. If the OfS considers a provider to be at increased risk of breaching this condition (or if the condition has already been breached) it might introduce enhanced monitoring or specific conditions to give greater confidence that the provider continues to satisfy the condition. In the case of an actual breach the OfS may also use its powers to sanction, including through monetary penalties.
15. A provider is responsible (under condition E2) for ensuring that it has adequate and effective management and governance arrangements in place to continue to comply with all conditions of its registration. A provider's governing body will therefore need to consider what information it receives to provide confidence that the facilitation of electoral registration condition continues to be satisfied.

## **Risks in relation to the electoral registration of students**

16. In order to play an effective role in facilitating electoral registration, higher education providers will wish to understand the specific challenges relating to registering students, and the risks that arise as a consequence of these. This will allow providers to take action to mitigate these risks and more effectively facilitate electoral registration.
17. One risk identified is the potential to compromise the integrity of the electoral register. This risk could for example emerge if students were registered inaccurately, resulting from high turnover of residents in students' residencies and insecure postal arrangements. A higher education provider should consider how this risk could be mitigated when facilitating the registration of students.
18. Another risk identified relates to students' understanding of the differences between entitlement to be registered in a register of electors and entitlement to vote at an election. Students who are resident at more than one address may be entitled to be registered at each address where they are resident, but they are not entitled to vote as an elector more than once in the same election. This means, if a student's home and term-time address are in two different local authority areas, they can vote in local elections in each area. However, even if they are registered in two areas – at home and at the term-time address – they can only vote once at a general election.

19. In facilitating the electoral registration of students, a higher education provider should ensure it makes clear to students the differences between entitlement to be registered in a register of electors and entitlement to vote at an election. This will support an understanding by students successfully engaged in electoral registration of the rights and responsibilities that result from being registered.
20. The government has stated that it intends to evaluate the impact of the OfS's electoral registration condition on students' democratic engagement. This guidance will be kept under review and updated in light of insights from that evaluation and other sources.

## **Raising awareness of democratic engagement and electoral registration**

21. While all registered providers must satisfy the regulatory requirement to facilitate electoral registration in cooperation with electoral registration officers, providers may wish to go beyond this requirement and take active steps to raise awareness of, and promote, democratic engagement. This might include providing opportunities for students to register to vote, and information about how registration and voting work.
22. Options for raising awareness of democratic engagement and electoral registration, and of how students can participate in elections, could include running electoral registration campaigns and the development of appropriate internal communications. Providers may wish to work with electoral services teams to develop these, building on the good working relationships they have developed with electoral registration officers through cooperative working on facilitating registration. They could also consider working with the Electoral Commission, which provides useful resources that could support electoral registration campaigns among student populations.

## **Good practice for student electoral registration**

23. The Cabinet Office previously undertook work to identify a number of examples across the higher education sector of providers' encouraging student electoral registration. These examples have been collated following a sector-wide survey and interviews with EROs and providers on their successful engagement with students. The case studies are provided at Annex A.
24. In publishing these examples of good practice, the OfS is not prescribing the way electoral registration of students should be addressed by higher education providers: this is a matter for individual providers and what works well for one provider may be less effective for another. The OfS is sharing these examples to stimulate innovation in facilitating electoral registration within the higher education sector.
25. The OfS also suggests that providers consider the good practice guidance published by the Electoral Commission<sup>5</sup>.

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<sup>5</sup> Available at <https://www.electoralcommission.org.uk/i-am-a/electoral-administrator/sharing-good-practice/reaching-students>.

# Annex A: Cabinet Office guidance on student electoral registration good practice

## Case studies

Through a mixed-method evaluation approach, the Cabinet Office has identified a number of examples across the higher education sector in encouraging student electoral registration. These examples have been collated following a sector-wide survey and interviews with both Electoral Registration Officers (EROs) and education providers on their successful engagement with students.

These were being implemented by both EROs and education providers and reflect the needs and demographics of particular student populations. They are set out in themes as below. The examples below are provided to overcome the barriers highlighted to allow providers the scope to implement systems that suit their student demographics and internal processes.

We hope that by sharing these examples and important sector information, we will stimulate innovation amongst the higher and further education sector to encourage their students to register to vote.

As part of the Cabinet Office's commitment to sharing good practice, we will continue to work with the electoral community to encourage the sharing and use of this information.

## Case study 1: Tailoring communications

### University of Manchester

#### Summary

The University of Manchester uses a variety of methods in communicating with their students and have undertaken extensive research on the methods most relevant and the timings of communications to ensure a high level of engagement.

The university has a dedicated Students Communications and Marketing Team which allows the university to align and tailor messages that are being received to ensure that students are not overwhelmed with emails, which can lead to potential disengagement. For example, they send out a weekly bulletin that provides an overview of important student information which is easy to digest.

They also hold a data-sharing agreement with their local ERO to share data on students who live within university accommodation to help maximise registration for properties that have traditionally presented accessibility barriers.

#### Lessons learned

Key to the approach is **the timing and relevance** of communications and engagement, including:

- Developing a **calendar of registration messages**, capitalising on both key student cycle milestones (such as moving into halls or private accommodation) and important electoral and political events to promote engagement.
- Working with the local council to share and maximise resource for an ongoing multi-channel campaign, covering printed collateral, e-news, and social media coverage.
- Messaging is centred **on local politics and the local community** to harness interest and engagement through tailored communications which makes the issue of registration to vote increasingly relevant and credible to young people.
- Close partnership working with the University of Manchester Students' Union on this shared agenda.
- Working across the year to identify other local and national initiatives which the university communications team may be able to feed into or add momentum to.

The university employs a multi-pronged approach, through campaigns, working with the council by placing messaging across various student platforms (including the student portal and digital information screens across campus) to add an additional layer of communication on electoral registration.

### **Working with the students' unions and running registration drives**

Collaboration with students' union representatives is viewed as an important step in explaining the history of democracy, importance of registering to vote and voting.

A number of education providers used registration drives ahead of elections when they could grasp the interest of students who may not have been engaged or interested in voting at enrolment. For respondents, the timing of these in the run-up to these elections was key to their success in that students tended to be more engaged than at any other time during the academic term. Resourcing these was usually done voluntarily, usually by the students' union in collaboration with a local authority, which kept the costs low.

The power of peer support and influence (i.e. when young people were speaking to their peers about democracy) was highlighted by respondents as critical to ensuring students became engaged in registering to vote. We found that union representatives, who were dealing with other matters pertaining to student body issues, were best placed to encourage voter registration from an already established relationship.

Other institutions successfully employed registration drives using laptops and iPads at universities on a specific day which when **timed in line with critical electoral events** sparked student interest and led to increases in student registration.

### **Seminars and lessons on democracy**

Scheduling speaking opportunities for MPs and parliamentarians to engage with students ahead of important election periods was also highlighted as key in raising awareness on the importance of registering to vote. Several higher education providers and EROs had for example asked their local MP or political representatives to speak to students ahead of a key election period; this was then usually followed by a voluntary registration drive to build on the interest and momentum.



## Case study 2: Building political literacy and democratic knowledge

### University of East Anglia

#### Summary

The University of East Anglia held a programme of events in the run-up to the 2017 general election to encourage their students to make an application to register to vote. Alongside help on campus with registering to vote carried out in partnership with the Students' Union and the local council, the university also held a number of educational initiatives to engage students on the importance of their political participation, including 'introduction to parliament' workshops to broaden student understanding of the workings of Westminster and placing their vote into context.

They organised a 'Student Politics Day', which consisted of a number of daytime events and activities taking place in the Students' Union 'Hive' including stalls by all political societies within the union and an evening hustings event organised by Livewire<sup>6</sup>. This provided an opportunity for students to engage directly with their local candidates on issues which were relevant to them and enabled a student-wide discussion of local issues. An academic panel debate to maximise student engagement provided a further viewpoint on the election and both encouraged and facilitated student debate on political issues.

#### Lessons learned

The success of this initiative rested on not only guiding students towards the government registration-to-vote website, but a more holistic educational campaign approach which also emphasised the importance of local issues and their impact which resonated on an individual level.

This importantly addresses one of the barriers young people face regarding low levels of political literacy and a lack of understanding of the fundamental importance of how the local political process operates or takes place within their local area, for example, at local council level. Making the link between local and national politics is key to the success of this type of approach.

By facilitating the engagement of political parties with their student electorate and following this up with the registration process, the Students' Union was able to capitalise on the momentum created following these type of discussions to nudge students to register to vote.

### Providing links to the government's register-to-vote website

Some providers are integrating register-to-vote messaging at critical communication points with students across the academic term. For some, this was incorporated at enrolment, for others it was placed as a message in the run-up to elections in student portals where they would access their course material and for others there was a more permanent hub dedicated to electoral enrolment.

Higher education providers remarked that this was a cost-effective option to implement if a provider found the prospect of collecting data at enrolment challenging. In addition, the inclusion of

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<sup>6</sup> See <https://www.uea.su/opportunities/society/livewire1350/>.

messaging on the importance of young people voting was also viewed as critical to the success of this model, to encourage students to click through to the website and progress an application to register to vote.

Another solution for overcoming engagement-related barriers when registering students is the collection of student data for voter registration purposes during enrolment at the university, a method that was first trialled by University of Sheffield and is detailed below.

### **Case study 3: Integrating student voter registration with student course enrolment**

This approach works well for collating data for those students who live inside the boundary of the education provider they attend. It may present a straightforward solution for those universities who have bespoke IT enrolment systems that can be easily adapted at minimum cost to the university.

#### **University of Sheffield**

##### **Summary**

The Sheffield City Council Electoral Services Team worked with the university as part of a government-funded pilot to include a page in their online Student Enrolment System which offered new students the chance to register to vote during enrolment.

After completing the university registration process, students were asked if they wished to register to vote in Sheffield and when clicking 'yes' were moved to a new page. This page was pre-populated with information already collected earlier in the process during registration and required students to enter their National Insurance (NI) number, to indicate whether they want a postal vote and whether they want to opt out of the edited register. (It should be noted that from a data protection perspective, the 'data collector' changed at this stage from being the university, to the university acting as data collector on behalf of the ERO.)

The Electoral Services Team then transferred and uploaded this information onto the council's server in a single download in October. Once the download was completed, the university extracted the students' NI numbers from their systems. All applications to register to vote are then checked through the usual process to data match their personal details.

##### **Impact**

Registration levels amongst eligible students at Sheffield University have been significantly higher than at Sheffield Hallam, a neighbouring university that does not currently offer the same functionality. Percentage of eligible students registered was 65 per cent compared to 13 per cent at Sheffield Hallam in 2016. There were also cost savings from individual canvassing which the Sheffield ERO is now redirecting to other under-registered groups in the area. Sheffield Hallam introduced this functionality in 2017.

The university believes the success of this model is due to the ease for students in making an application to register to vote at a key engagement point with the university. An important element of the design was making sure that, while asking for all the same information as the Government's online registration system, the format for the electoral registration page remained consistent with the overall presentation of the student registration system – in this way the university believes that there was no psychological break between the student enrolment and electoral registration elements which could lead to disengagement.

## Student voter registration – integration with digital platforms

There are a number of higher education and further education providers working collaboratively with electoral services teams to develop and deliver innovative approaches to increasing the number of students on the electoral register by integrating the collation of electoral information within digital platforms such as student hubs, student halls registration forms and other online spaces where students are sharing personal information.

Some are collecting this information at enrolment, others throughout the academic year or in the run-up to electoral events and others are using existing student platforms to ask for consent to share information with local authorities.

Many respondents have followed the example provided for by this model and adapted this accordingly to meet their students' local needs and minimise cost burdens on authorities and providers. Providers also highlighted that there are **other digital opportunities** to capture electoral information, such as university halls online platforms that could also be used when students are moving into accommodation and need to update address details. Others are placing and collecting information on student portals where students engage with their course material.

## Case study 4: Integrating student electoral registration with university intranet

### De Montfort University, Leicester

#### Summary

De Montfort University (DMU) is using a model of registration similar to providers who facilitate student applications to register to vote at the time of online enrolment. One difference was that the university incorporated registration within its existing student portal to minimise cost and also to involve students at critical engagement points.

They achieved this through the use of a two-stage tool on their student portal, which on login asks students first to update their term-time address and then passes the student into the second section to collect the necessary information needed to provide an application to register to vote. This portal captures the student's consent to have details passed to the local ERO for the purposes of electoral registration. Essentially, this model adapts the digital service format used by the gov.uk and integrates this within an existing digital system.

A strong ongoing relationship existed between DMU and the local electoral registration officer and a data sharing protocol was adopted between both parties to ensure the legal transference of data for the purposes of electoral registration.

A communications plan was also key to success, helped by strong support from the Students' Union. The survey tool itself also incorporated information that highlighted the benefits of registering to vote, e.g. increasing credit score.

### **Lessons learned**

Of those who qualified to register to vote based on postcode and nationality in 2016, 98.5 per cent either provided their details required to legally make an application or highlighted that they did not want to register or were already registered.

The university believes this system is effective for a number of reasons:

- The data collection takes place a number of weeks after enrolment which means it also takes into consideration the annual cycle of late and non-enrolment which occurs at the start of each academic year.
- It allows for students to settle in term-time addresses which may potentially change following the enrolment period.
- It lessens the risk of overburdening students by asking for this information at enrolment, when they may be less keen to agree to sharing protocols due to the volume of other information sent to them at this time.
- It has the ability to be integrated into an already fully functioning in-house system which minimises resource and cost.
- It takes into account multiple start dates for students who may start at the beginning of a later or earlier academic term.



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