

# PFCC Poll Card Printing Investigation

## Report

Chief Executive/Local Returning Officer

Date: 18 September 2024

Agenda item:

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Key decision? NO

Local ward members N/A



Lichfield  
District Council

**AUDIT  
COMMITTEE**

## 1. Executive summary

- 1.1 To report to Members a printing error of a number of poll cards at the recent Police, Fire and Crime Commissioner that led to a data breach and what steps were taken to resolve it at the time and what measures are now in place to prevent a similar thing happening again.

## 2. Recommendations

- 2.1 To note the issue and steps taken to resolve the data breach and measures taken to eliminate the risk of reoccurrence.

## 3. Background

- 3.1 Poll cards are required to be sent to all eligible electors to notify them of relevant information of forthcoming elections including, but not limited to, date of election, their elector number, location of their polling station, how to apply for an absent vote and timescales for this and now details of the requirement for voter identification. Electors who already have an absent vote also receive a poll card to notify them of this. Poll cards must follow the prescribed form in legislation. They must include on each poll card all the elements specified in the relevant election rules and shown on the front and the back of the poll cards. This can be found at the following link [The Representation of the People \(England and Wales\) Regulations 2001 \(legislation.gov.uk\)](https://legislation.gov.uk). It can also be found at appendix 3  
  
The template used for the PFCC poll cards can be found at appendix 1. The Committee will see that the front of the card was designed to in essence look like the front of an envelope with the elector's name and address and the inside to act as the actual poll card with their name and address repeated along with their elector number.
- 3.2 Poll cards are sent out in two "runs". The first is sent as soon as possible after the notice of election has been published and is the largest print and distribution and is to everyone currently on the electoral register who is eligible. For the PFCC election in May 2024 this number was 82000. The second "run" is to send poll cards to those electors who had registered to vote between that first run and close of application to register as per the election timetable. This number was 1269 records.
- 3.3 The first run of poll cards was printed and distributed around the 25<sup>th</sup> March 2024 to coincide with the publication of the Notice of Election. No issues occurred with this part of the process

- 3.4 The second run of poll card data was sent to our external printers on the 17<sup>th</sup> April (the morning after the deadline for elector registration) to be printed and posted the following week. As usual, proofs were sent to us so we could check the data which all passed.
- 3.5 We began to receive calls and emails from electors on Friday 26 April 2024 stating that when they opened their poll card to find the name, address and elector number of another elector. There were also mismatches with electors who were receiving postal votes to those expecting to vote at polling stations.
- 3.6 The first thing we did was double check the data as it was sent to the printers, and we confirmed that it was all correct so immediately called the printers to see what had happened. Whilst we were doing this, the Customer Services team continued to take communications and advise electors that we were looking into the matter, and we reported the breach to our Data Protection Officer.
- 3.7 Advice from the Data Protection Officer
- The DPO advised us that as it was names, addresses and elector numbers only that it was not considered special category data as defined by the Information Commissioner's Office (ICO). Through a self-assessment, the DPO concluded that we were not required to report the breach to the ICO however we needed to advise all affected electors to destroy the incorrectly printed poll card. This advice was passed to Customer Services and communications team.

Although the DPO advised that there was no need to formally report the breach to the ICO, the Local Returning Officer (also Chief Executive) requested that we still do to ensure affected electors had confidence and were reassured the Authority had taken all possible steps. The DPO duly reported the breach and the ICO decision was as follows

### **"Our Decision**

We have considered the information you have provided and we have decided that no further action by the ICO is necessary on this occasion. This decision is based on the information we have recorded about the breach.

The reasons for our decision are as follows:

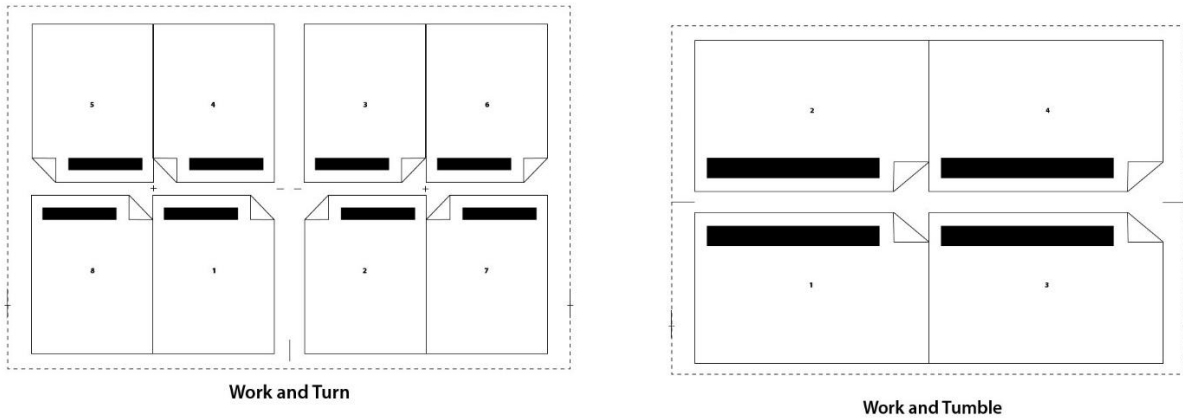
- You issued replacement polling cards which may help ensure that no one was prevented from voting as a result of this incident.
- You have requested that the data is destroyed which may help to contain the breach.
- The personal information involved in the incident appears to be limited to basic personal identifiers and, as such, it would appear that any potential detriment is unlikely to be severe.
- You have determined that the personal data breach is not likely to result in a high risk to the data subjects.
- You have indicated that you are not aware of individuals incurring any harm as a result of this incident, and you have assessed the risk to be low.

However, we recommend that you investigate the causes of this incident, to ensure that you

understand how and why it occurred, and what steps you need to take to prevent it from happening again.”

### 3.8 What happened

The external printer immediately investigated what had happened and reported back to us within the hour with their findings. What they found was that the error occurred as the files which went to print were pre-imposed. Imposition refers to the process of arranging a book's pages so that once the printed signature sheets are folded and trimmed, the pages will appear in the correct order. When the print operator ran the test prints off before commencing printing, they focused on ensuring the imposition was orientated the correct way as per the initial run; however during this focus they didn't notice they backed it up as 'work and tumble' not 'work and turn' meaning the opposite side was backed up to the wrong record resulting in the issue. It was not identified in the quality control checks done at print and finishing stages meaning the operators were not checking the data inside matched the outside or checking with the print outs and so didn't fully follow the quality checking process.



### 3.9 What we did to resolve the issue

There was immediate agreement to reprint the poll cards and we included in bold red writing that it was a replacement. We also then requested to include the guidance from the DPO to request that the original be destroyed. This reprint was at no cost to the authority. This message was also given to our Customer Services Team to advise those who called, and they also put it on the automated message on the phone lines. The message was also put on the home screen of the Council's website and the Communications team were fully briefed. Members of the Council were also made aware of the situation via an email.

There was some discussion as to whether these new poll cards, if posted, would be received by electors in time for Polling Day the following Thursday. Although the poll cards were printed on the Friday, it was now at a time where there was no guarantee Royal Mail would process that day and it would be left until Monday. Due to this, it was decided to have the cards couriered to us for us to receive them on the Saturday and either find local couriers to deliver or officers to deliver by hand.

The new poll cards were delivered on the Saturday and members of governance and elections sorted them into ward/polling districts and started to hand deliver them from the Sunday.

Officers from all over the organisation as well as a couple of external helpers delivered all poll cards by the Wednesday morning ready for Polling Day on the Thursday.

### 3.10 Long term resolution

The printer implemented action to prevent similar issues occurring by briefing all their production staff to reiterate the importance of the approved printout within their ISO quality checking processes to ensure all elements match as per, us as client, approval. All duplex print now carries a sequence number on both sides.

However, looking again at the regulations regarding poll cards, it was apparent that there was no requirement to use the template of the outer part to act as an envelope with a repeat of the same information on the inside. If we could only have the necessary data on the outside of the poll card, any risk of mismatched elector details was removed completely and something we and the printers would have to be mindful of again. Where we could, we looked at designs of other authority's cards and noted that some did follow this idea and had the information on the outside and some even continued to use a single card design which was common before voter id information was required.

This redesign was prioritised when the UK Parliamentary General Election was called, and this new template can be found at appendix 2. For the UKPGE over 75k poll cards were delivered over the two print runs with no issues detected. We did receive one complaint that the card included the electors name, address, and elector number on the outside but as stated, the template is compliant. This new template is the one we will use for all future elections.

Alternative options	<p>To not have sent out new poll cards as there are not required to allow an elector to vote however it is a requirement to send and they do aid both the elector and polling station staff.</p> <p>We could have used Royal Mail to deliver the reprinted poll cards, but the risk of time was too great.</p> <p>We could continue to use the previous template but although the printers have introduced measures, the redesign means the risk is eliminated.</p>
Consultation	<p>Insert consultation undertaken with local ward members, task groups, overview and scrutiny committees, the community, service users and stakeholders. Provide details of any statutory consultation required and undertaken in respect of this matter.</p>
Financial implications	<p>There was no cost to the authority to reprint and courier the reprinted poll cards to the authority. There was a cost for overtime and mileage to the handful of Officers and external helpers to hand deliver.</p>
Approved by Section 151 Officer	<p>Yes</p>
Legal implications	<p>Distribution of poll cards are a requirement of the Representation of Peoples Act and regulations set out what information should appear on the cards. The template now used conforms to those.</p>
Approved by Monitoring Officer	<p>Yes</p>

Contribution to Lichfield District 2050	N/a
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Data assessment	N/A
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Equality, diversity and human rights implications	Accessibility was considered when designing the new template for poll cards and due to the amount of information required, a folded double sided A4 cards was kept ensuring font size was at a level that would not compromise hard of sight electors.
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EIA logged by Equalities Officer	Equalities Officer confirmed not required.
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Crime & safety Issues	No issues arising from report
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Environmental impact (including climate change and biodiversity)	There was an impact due to the need to reprint the poll cards and delivery to the council house from the printer as well as vehicles used to deliver them to the elector.
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GDPR / privacy impact assessment	The personal data used for poll cards is not deemed sensitive or special category by the ICO and so is acceptable to be seen on the outside of poll cards.
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	Risk description & risk owner	Original score (RYG)	How we manage it	New score (RYG)
A	Data breach of electors' information on poll cards	yellow	Change design of poll cards	green
B				
C				
D				
E				

Background documents	N/A
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Relevant web links	
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