

Your Privacy Information

Data Protection Policy for Electoral Services

Issued on 25 May 2018

by the Electoral Registration and Returning Officer for South Gloucestershire Council

This information should be read in conjunction with the Council's general Privacy Information that can be found at: <http://www.southglos.gov.uk/council-and-democracy/data-protection-and-freedom-of-information/privacy-statement/>

Introduction

Data Protection law is changing on 25 May 2018 with the introduction of the Data Protection Act 2018 (DPA 2018).

The Electoral Registration Officer and Returning Officer for South Gloucestershire Council has produced this document in order to provide some important information on why we ask for your personal information, what we do with that information and how you can access your records.

All staff employed by the Electoral Registration Officer and Returning Officer have a legal duty to collect, process and keep information about you in accordance with the law.

Legal Principles of the Data Protection Act 2018

The Electoral Registration Officer and Returning Officer will comply with the data protection principles under the DPA 2018. The Act requires that personal data shall be:

- a) processed lawfully, fairly and in a transparent manner in relation to individuals;
- b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- d) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the DPA 2018 in order to safeguard the rights and freedoms of individuals; and
- f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

Why we ask for your personal information

Electoral Registration Officers and Returning Officers have a statutory duty to process certain personal data to maintain a complete and accurate electoral register and for the purpose of administering elections.

Whenever there is an election the Returning Officer receives a copy of the electoral register from the Electoral Registration Officer in order to verify the eligibility of each individual to vote at that election, post poll cards with information about voting and send postal ballot papers to those who have applied to vote by post. The register is also used to check subscribers' details on candidates' nomination papers and to mark the entries of electors who vote at the polling station on polling day.

We collect and keep records about individuals who are eligible to register to vote in South Gloucestershire Council, citizens of countries outside the EU and the Commonwealth, candidates at an election and their agents, staff employed by the Electoral Registration Officer and Returning Officer, and service suppliers.

These records may include:

- Full name, nationality, current and previous address, and any forwarding address
- Previous names (if any) and date of change
- Date of birth and national insurance number
- Passport details of electors registered as British citizens living overseas
- Signature of postal and proxy voters
- Telephone number and email address
- Correspondence from individuals and notes about any relevant circumstances
- Preference in relation to the open register (please see relevant paragraph below)
- Whether you have voted at an election (but not how you have voted)
- Tax status, bank details, vehicle registration number and ID documents of staff employed by the Electoral Registration Officer and Returning Officer

The full register and the open register

The Electoral Registration Officer keeps two registers: the electoral register and the open register (also known as the edited register).

The electoral register

The electoral register lists the names and addresses of everyone who is registered to vote in public elections. The register is used for electoral purposes, such as making sure only eligible people can vote. It is also used for other limited purposes specified in law, such as:

- detecting crime (e.g. fraud)

- calling people for jury service
- checking credit applications

A paper copy of the current electoral register is available for public inspection under supervision at South Gloucestershire Council One Stop Shops. It contains the name and address of all those registered to vote in South Gloucestershire.

The electoral register is in alphabetical order by street by electoral area, and not by electors' name.

Information from this register may be recorded only by making hand written notes (photocopying or electronic recording are not permitted by law) and must not be used for direct marketing purposes.

The open register

The open register is an extract of the electoral register, but is not used for elections. It can be bought by any person, company or organisation. For example, it is used by businesses and charities to confirm name and address details.

Your name and address will be included in the open register unless you ask for them to be removed. Removing your details from the open register does not affect your right to vote.

Who has access to your personal information

Certain individuals and organisations are entitled to access basic details about you, i.e. your name and address, your ineligibility for jury service (i.e. if you are aged 76 or over), your voting method and your open register preference. These include:

- Registered political parties and local constituency parties
- Elected representatives, candidates and agents at an election
- Clerks of parish and town councils
- Credit reference agencies
- British Library and National Library of Scotland
- UK Statistics Authority, Electoral Commission, Parliamentary Boundary Commission for England, Local Boundary Commission for England
- Jury Central Summoning Bureau
- National Fraud Initiative and Law Enforcement Agencies for the prevention and detection of crime
- Printing companies appointed to produce electoral forms and election documents
- The Returning Officer of another local authority where they are responsible for administering an election which crosses local authority boundaries.
- The Electoral Registration Officer of another local authority who will be informed when you register to vote in this area so that they can update the records they hold

The individuals and organisations listed on the previous page can only use your details for the purpose and manner specified in legislation.

The Cabinet Office are responsible for the Individual Electoral Registration Digital Service (IERDS), which is used to check personal details in order to determine an individual's eligibility to register to vote. The Electoral Registration Officer verifies the identity of electors with the Department of Work and Pensions.

Transferring your information overseas

Your information is not transferred and stored in countries outside the European Economic Area (EEA) for the provision of this service.

Storage and retention of documents

Under the DPA 2018 personal data processed for any purpose shall not be kept for longer than is necessary for that purpose. The Electoral Registration Officer and Returning Officer will keep your information for as long as you have a relationship with us. Specific information in relation to the services we provide will be kept in line with statutory retention periods. We may retain anonymised information about the service we provided to help us improve our services in the future.

Your right to access your records

As a 'data subject' you are entitled to see personal information that is held about you by the Electoral Registration Officer and Returning Officer. This is defined in the DPA 2018 as 'the right of access'.

If you wish to see a copy of the information we hold about you please contact South Gloucestershire Council's Data Protection Officer (details below). You will receive a response, free of charge, within one calendar month.

In certain circumstances access to your records may be limited, for example, if the records you have asked for contain information relating to another person.

If there is an error in your records you have the right to request it is rectified or erased. These are defined in the DPA 2018 respectively as 'the right to rectification' and 'the right to erasure'.

Further information

If you have any worries or questions about how your personal information is handled please contact our Data Protection Officer at DPO@southglos.gov.uk or write to us at:

Data Protection Officer
PO Box 1953
The Council Offices
Badminton Road
Bristol
BS37 0DB

For independent advice about data protection, privacy and data sharing issues you can contact the Information Commissioners Office (ICO) at:

Information Commissioners Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Alternatively, visit ico.org.uk or email casework@ico.org.uk .