

## Electoral Services

### Privacy statement

This privacy statement explains some important information about how the Electoral Registration Officer and Returning Officer use your personal information.

#### Why are we collecting your data?

The Electoral Registration Officer and the Returning Officer are data controllers and collect your personal data for the purpose of registering and administering your right to vote.

The Electoral Registration Officer has a duty to maintain a complete and accurate electoral register throughout the year and collects personal data from you in order to do this.

The Returning Officer is responsible for the conduct of elections. In administering an election, the Returning Officer will utilise information from the Electoral Register to issue poll cards, postal votes and to issue electoral registers and absent vote lists to each polling station. The Returning Officer also collects personal data about staff employed in delivering the election and about candidates and agents.

Your data will not be used for any other purpose unless we have agreed this with you. The only exception to this would be if we were required by law to provide your personal data.

#### What information do we collect?

Information collected by the **Electoral Registration Officer** may include:

- Your name, address, nationality and date of birth.
- Your national insurance number.
- Signatures provided by absent voters.
- Scanned application forms, letters and emails that you have sent us.
- Scanned copies of any documentary evidence that you have provided in support of your application to register.
- Your previous address.
- Your correspondence address if you are entitled to be registered in the District but live overseas or elsewhere.
- The address you have requested that we send your absent vote to if it is not your registered address.
- Details of disabilities where you have provided these in support of an application for a signature waiver or when requesting large print correspondence.
- Details provided as part of a long term or emergency proxy application, which may include information regarding disability or illness, work or receipt of specific benefits.
- Your telephone number and email address (if provided).
- Sensitive information in support of an application for anonymous registration.
- If you are aged 16/17 or over 76.
- Whether you have chosen to opt out of the Open Register.

Information collected by the **Returning Officer** may include:

- The names, address, political affiliation and contact details of candidates.
- The names of electors who have subscribed candidate nomination forms.
- The names, address, political affiliation and contact details of agents.
- Information collected, as above, by the Electoral Registration Officer.
- The names, addresses, dates of birth, national insurance number, bank account, contact details and tax status of staff employed to deliver the election.
- Payments made to and job history of current and previous election staff.

### **Legal Basis for Processing**

Information provided to the Electoral Registration Officer and Returning Officer is processed for the performance of the **public tasks** of maintaining the register of electors and administering elections, in order to comply with electoral law, in particular the Representation of the People Act 1983, Representation of the People Regulations 2001, the Electoral Administration Act 2006 and the Electoral Registration and Administration Act 2013.

The Returning Officer processes data in respect of electoral employees for the performance of a **public task** and in order to meet the Returning Officer's legal obligations as an employer, including those set out in the Equality Act 2010, the Immigration Act 1971, the Immigration, Asylum and Nationality Act 2006 and The Working Time Regulations 1998.

For any personal information processing activities which fall outside the scope of public task e.g. seeking to keep contact details on file for future election administration purposes, we will rely on **consent** as our legal basis for processing. When doing so we will always tell you why we are requesting your information, what it will be used for and will seek your positive consent for this processing.

### **Who will receive your personal information?**

All data provided to the Electoral Registration Officer or Returning Officer is processed on their behalf by the Electoral Services Team at North East Derbyshire District Council.

Some of the information that you provide to the **Electoral Registration Officer** is held in Electoral Registers, which are maintained on behalf of the Electoral Registration Officer by North East Derbyshire District Council's Electoral Services Team.

To verify your identity, the data that you provide will be processed by the Individual Electoral Registration Digital Service managed by the Cabinet Office. As part of this process your data will be shared with the Department of Work and Pensions and the Cabinet Office suppliers that are data processors for the Individual Electoral Registration Digital Service. You can find more information about this at the following link:

<https://www.registertovote.service.gov.uk/register-to-vote/privacy>

The full Electoral Register contains the names and addresses of registered electors, along with markers that indicate whether the elector has chosen to vote by post or proxy, whether the elector is over 76, the date of birth of any elector who will turn 18 during the lifetime of the register and whether you are a "special category elector" (living overseas, at no fixed address, prisoners on remand, patients in mental health hospitals, crown servants and serving members of the armed forces). Telephone numbers, email addresses and copies of scanned documents are neither included on the Electoral Register nor shared.

The full Electoral Register is published once a year on the 1<sup>st</sup> of December and is updated monthly outside of the Annual Canvass period. The people who are entitled to receive full or part copies of the Electoral Register are prescribed in the Representation of the People Regulations 2001 and include the following people and organisations:

- The British Library
- UK Statistics Authority
- The Electoral Commission
- The Boundary Commission for England
- The Jury Summoning Bureau
- Elected Representatives (Councillors, MP, MEP and Police and Crime Commissioner)
- Candidates standing for election
- Local and National Political Parties
- Parish and Community Councils
- The District Council
- Credit Reference Agencies
- National Fraud Initiative
- Government Departments
- Electoral Registration Officer and Returning Officer
- Electoral Registration Software Supplier (access for software support only).

The Representation of the People Regulations 2001 restrict the use of the Electoral Register. It is a crime for anyone who has a copy of the Full Electoral Register to use the information for any other purpose or share the information contained within the Register unless there is a lawful reason for doing so.

In addition to this, anyone is entitled to inspect the full Electoral Register. There is a copy of the full Electoral Register held at North East Derbyshire District Council, District Council Offices, 2013 Mill Lane, Wingerworth, Chesterfield, S42 6NG for this purpose. Inspection of the full Electoral Register is under the supervision of North East Derbyshire District Council staff, no extracts or copies can be taken (although hand written notes are allowed) and cannot be inspected for direct marketing purposes. Anyone failing to observe these conditions is committing a criminal offence, punishable by a penalty of up to £5,000.

The Open Register contains the same information as the Full Register, but contains only the details of those electors who have not opted out of their details being included. The Electoral Registration Officer is required by law to sell this version of the Register to any person or organisation upon request. Users of the Open Register include direct marketing companies, online directories, businesses and charities.

Electors can choose to opt out of the Open Register as part of their application to register, at the Annual Canvass or at any other time by contacting the Electoral Services Team. Your right to vote will not be affected by choosing not to appear on the Open Register.

Information provided to the **Returning Officer**, including details contained on the Electoral Register, are shared with printers contracted to produce poll cards, postal votes and ballot papers. The Returning Officer also shares the details of staff employed in the conduct of elections with the payroll department of North East Derbyshire District Council and HMRC.

The Returning Officer is required to make some documents containing information provided by candidates and agents available for inspection for periods of time; this can include nomination forms and expenses.

## **Transferring your personal data**

Personal data which the council processes itself is held on UK servers. When using an external provider for processing e.g. storing customer records, it is our policy to use companies which have UK or EU based servers to receive the safeguards contained within UK data protection law and reciprocated across the European Union.

The Electoral Registration Officer is required by law to sell the **Open Register** to any person or organisation. Users of the Open Register include direct marketing companies, online directories, businesses and charities. These organisations could be based outside of the UK or EU.

## **How do we protect your personal information?**

We take the security of your data seriously. We have internal policies and controls in place to safeguard personal data. This includes access restrictions to systems containing personal information, employee training and awareness, ICT security controls and protocols, confidential waste collection and destruction, and documentation including personal data audits and guidance.

Where we engage third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

## **How long do we keep your personal information?**

Retention periods are determined by business or legal needs. It is our policy not to hold records any longer than necessary whilst complying with any legal requirements and providing sound business records.

If you would like further information on this then please email:

[elections@ne-derbyshire.gov.uk](mailto:elections@ne-derbyshire.gov.uk)

## **Access to your information and your rights.**

You have the right to request a copy of the information that we hold about you. If you would like a copy of some or all of your personal information please email:

[FOI@ne-derbyshire.gov.uk](mailto:FOI@ne-derbyshire.gov.uk) or write to us at the following address:

North East Derbyshire District Council  
District Council Offices  
2013 Mill Lane  
Wingerworth  
Chesterfield  
Derbyshire, S42 6NG

There is also information on our website – search '[data protection](#)'.

You also have other rights under data protection regulation which include rights to rectification, erasure, to restrict processing, data portability, to object, and to prevent automated decision making. Some of these rights are affected by the legal basis for processing which the Electoral Registration Officer or Returning Officer is using, for example

the rights to erasure and portability do not apply when processing your personal data for official public functions. More information on your rights is available on our website.

To exercise your rights please use the contacts details noted above in the first instance.

### **How to contact us**

Please contact us if you have any questions about this privacy statement or information we hold on you:

- By email – [elections@ne-derbyshire.gov.uk](mailto:elections@ne-derbyshire.gov.uk)
- Or write to the Electoral Registration Officer or Returning Officer at:  
North East Derbyshire District Council, District Council Offices, 2013 Mill Lane,  
Wingerworth, Chesterfield, Derbyshire, S42 6NG.

The Electoral Registration Officer and Returning Officer's appointed Data Protection Officer is Kath Drury, email [kath.drury@bolsover.gov.uk](mailto:kath.drury@bolsover.gov.uk) or telephone 01246 242280.

You also have a right to make a complaint to the Information Commissioner's Office about concerns you may have about your personal data using the details below:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Telephone: 0303 123 1113

[www.ico.org.uk](http://www.ico.org.uk)

You may wish to raise any complaint or concern with us first by contacting the Council's Data Protection Officer or using the Council's [complaint](#) system.