

# Privacy Notice for Electoral Services

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Data Controller: Erewash Borough Council, Town Hall, Wharncliffe Road, Ilkeston, Derbyshire, DE7 5RP

Data Protection Officer: Rachel Fernandez, Performance and Community Manager, Erewash Borough Council, Town Hall, Wharncliffe Road Ilkeston, Derbyshire, DE7 5RP, email [rachel.fernandez@erewash.gov.uk](mailto:rachel.fernandez@erewash.gov.uk), tele: 0115 9072244

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## Introduction

The council is committed to being transparent about how it collects and uses the data it collects and to meeting its data protection obligations.

The Electoral Registration Officer and Returning Officer collects the personal data you provide for the purpose of registering your right to vote. You need to be registered to be able to vote in any election or referendum for which you are eligible. We have a duty to maintain a complete and accurate register throughout the year. We will only collect the personal data we need from you, in order to do this.

## What is the legal basis for processing this data?

We do this as a legal obligation to comply with the Electoral Registration and Administration Act 2013 and Representation of the People Regulations 2001. This ensures you are registered to vote in any election or referendum for which you are eligible. The law makes it compulsory to provide information to an electoral registration officer for inclusion in the full register. We keep records about potential and actual electors, voters, citizens, candidates and their agents, staff employed at an elections. These may be written down, or kept on a computer.

## What information does the council collect?

The council collects a range of information about you. This includes;

- Your name, address, nationality and date of birth
- Unique identifiers (such as National Insurance Number). Signatures for absent vote checking
- Scanned application forms, documentary evidence and any letters of correspondence
- Notes about any relevant circumstances that you have told us
- Your previous or any redirected address
- The other occupants in your home

- If you are over 75 or under 18
- Whether you have chosen to opt out of the open version of the register

The council may collect this information in a variety of ways, for example:

- Online forms
- Paper forms
- Email
- Telephone Call
- In person visits

Data will be stored in a range of different places

- Electronically using several systems and databases
- Paper forms

## **Why does the council process personal data?**

The Council will collect, process and store the personal information you provide to us in order to process your application for registration. Processing of your personal information in this way is necessary for the performance of a task carried out in the exercise of official authority vested in the Council.

## **Who has access to data?**

To verify your identity, the data 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 here:

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

The information you provide is held in the electoral register which is managed by the electoral registration officer who, using information received, keep two registers – the full electoral register and the open (edited) register.

The full register is published annually and is updated at various points during the year. By law, it can only be supplied to the following people and organisations:

- British Library
- UK Statistics Authority
- Electoral Commission
- Boundary Commission for England

- Jury Summoning Bureau
- Elected Representatives (MP, MEPS, Local Councillors)
- Police and Crime Commissioner
- Candidates standing for elections
- Local and National Political Parties
- The Council
- Parish and Town councils
- Police Forces and the National Crime Agency
- Public Library or local authority archive services
- Government departments or bodies
- Credit Reference Agencies
- National Fraud Initiative
- Other Electoral Registration and Returning Officers

We also disclose (share) your information with our Software providers and contracted printers.

We will not ordinarily send your personal data outside of the European Economic Area. However, if you are an overseas elector, we may write to you at your location e.g. to send you a postal vote.

It is a crime for anyone who has a copy of the full register to pass information from this register onto others, if they do not have a lawful reason to see it.

Anyone can inspect the full electoral register:-

- Inspection of the register will be under supervision
- They can take extracts from the register, but only by handwritten notes
- Information taken must not be used for direct marketing purposes, in accordance with data protection legislation, unless it has been published in the open version
- Anyone who fails to observe these conditions is committing a criminal offence and may be charged a penalty of up to £5,000.

The Open register contains the same style of information as the full register, but less of it due to many people “opting out”. The Open register is not used for elections or referendums. It is updated and published every month and can be sold to any person, organisation or company for a wide range of purposes. It is used by businesses and charities for checking names and address details; users of the register include direct marketing firms and also online directory firms. You can choose whether or not to have your personal details excluded from the open version of the register; however, they will be included unless you ask for them to be removed. Removing your details from the open register will not affect your right to vote.

## **How long will we hold your data for?**

The Electoral Registration Officer and Returning Officer are obliged to process your personal data in relation to preparing for and conducting elections. Your details will be kept and updated in accordance with our legal obligations and in line with statutory retention periods.

## **How does the council protect data?**

The council takes the security of your data seriously. It has internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the proper performance of their duties.

## **Your rights**

As a data subject, you have a number of rights. You can:

- Access and obtain a copy of your data on request
- Require the council to change incorrect or incomplete data
- Require the council to delete or stop processing your data, for example where the data is no longer necessary for the purpose of processing; and
- Object to the processing of your data where the council is relying on its legitimate interests as the legal ground for processing.

If you would like to exercise any of these rights, please contact the Council's nominated Data Protection Officer, Rachel Fernandez, performance and community Manager. Erewash Borough Council, Town Hall, Wharncliffe Road Ilkeston, Derbyshire, DE7 5RP, email [rachel.fernandez@erewash.gov.uk](mailto:rachel.fernandez@erewash.gov.uk), tele: 0115 9072244

If you believe that the council has not complied with your data protection rights, you can complain to the information Commissioner.