

# **This is Your Personal Data**

## **Electoral Services Privacy Notice**

### **How we handle your information**

#### **Information for the public**



Everyone working for the Electoral Registration Officer & Returning Officer has a legal duty to keep and process information about you in accordance with the law.

This document explains why we ask for your personal information, how that information will be used and how you can access your records.

## Why is information recorded about me?

We use information about citizens, Electors and Voters to enable us to carry out specific functions for which we are responsible and to provide you with a statutory service.

The Council appoints an Electoral Registration Officer and a Returning Officer to carry out these functions which include maintaining the Register of Electors and conducting elections.

The personal data we require for registration and voting is necessary for the performance of a task carried out in the public interest and exercise of official authority as vested in the:-

- Electoral Registration Officer as set out in the Representation of the People Act 1983 and associated regulations relating to electoral registration.
- Returning Officer as set out in the Representation of the People Act 1983 and associated regulations relating to the conduct of elections.

The Electoral Registration Officer and Returning Officer are responsible for the data that they hold and are also known as the Data Controller.

The Data Controller is: Ian Curryer, Nottingham City Council, Loxley House, Nottingham, NG2 3NG.

## What information do you hold?

We keep records about potential and actual electors, voters, citizens, candidates and their agents, staff employed at an election and the people we need to pay. These may be written down (manual records), or kept on a computer (electronic records).

### These records may include:

- basic details about you, for example, name, address, date of birth
- special category data i.e. your nationality (see more information below)
- unique identifiers (such as your NI number),
- scanned application forms & dates of any letters of correspondence,
- your method of voting i.e. in person, by post or by proxy
- notes about any relevant circumstances that you have told us
- details and records about the service you have received,
- your previous or any redirected address
- The other occupants in your home
- If you are over 76 or under 16/17
- Whether you have chosen to opt out of the Open version of the Register (see more information below)
- Contact details i.e. telephone number and email address (if you have provided them)
- Right to work documents (if you have been employed to work on elections or canvassing)

## What is the information used for?

Your records are used to help ensure that we provide you with the service that you need. We will, based on your nationality, include your name on the Electoral Register so that you are able to vote by your chosen method.

There are two version of the register, below is an explanation of each version and what it is used for.

Using information received from the public, registration officers keep 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

### **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.

**Please Note:** If your details are in the Open version of the Electoral Register, your name and address can be sold to third parties who may use it for any purpose. You can opt out of this version at any time by contacting Electoral Services at [elections@nottinghamcity.gov.uk](mailto:elections@nottinghamcity.gov.uk) or on 0115 8764111, you are also given the opportunity to amend this on your Household Enquiry Form which is sent to you each year.

The Electoral Register is a public document which can be viewed in person only under strict control.

## **Why do I need to give my information?**

Legislation requires us to request this information from you so that we can maintain the Electoral Register and ensure that all eligible citizens are registered to vote.

If you do not provide us with this information then you will not be able to vote and you may be breaking the law.

## **What is special category data?**

Special category data is personal data which requires an additional lawful basis beyond those for the main purposes of processing data. The appropriate lawful basis for processing special categories of personal data for electoral purposes would be that it is necessary for reasons of substantial public interest and with a basis in UK law.

Your nationality falls within a special category of data.

You therefore need to provide your nationality, as we need this information to determine:-

1. whether you are eligible to register to vote, and;
2. which elections you are eligible to vote in

## How long is it kept for?

In order to provide you with this service, we rely on our legal obligation. The Electoral Registration Officer & 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.

Further information about retention can be found at: [www.nottinghamcity.gov.uk/privacy-statement](http://www.nottinghamcity.gov.uk/privacy-statement) in the section 'How long can we keep your personal information for'.

- **Occasions when your information needs to be disclosed (shared) include:**to contracted printers to print your Poll cards, Postal Packs & other electoral material
- to registered political parties, elected representatives, candidates, agents and other permitted participants who are able to use it for Electoral Purposes only
- credit reference agencies, the British Library, UK Statistics Authority, the Electoral Commission and other statutory recipients of the Electoral Register
- details of whether you have voted (but not how you have voted) to those who are entitled in law to receive it after an election
- where the health and safety of others is at risk,
- when the law requires us to pass on information under special circumstances,
- crime prevention or the detection of fraud as part of the National Fraud Initiative
- to other colleagues employed by the Returning Officer, including payroll (only if you are employed to work on elections)
- to polling station staff (only if you are a booking contact/caretaker for a polling station venue)

## Anyone who receives information from us has a legal duty to keep it confidential

We are required by law to report certain information to appropriate authorities – for example:

- where a formal court order has been issued.
- to law enforcement agencies for the prevention or detection of a crime
- to the Jury Central Summoning Bureau indicating those persons who are aged 76 or over and are no longer eligible for jury service

## Partner organisations

The process of checking citizens' personal identifiers to ensure eligibility for inclusion in the Electoral Register, is controlled by the Cabinet Office via the IER Digital Service.

### This includes:

- The Department for Work and Pensions who use data provided to verify the identity of new applicants
- The Cabinet Office who will inform the old local authority of people who have moved area

Information will be processed within the EEA and will not be shared with overseas recipients.

## Can I see my records?

The Data Protection Act 2018 allows you to find out what information is held about you, on paper and computer records. This is known as 'right of subject access' and applies to your Electoral Services records along with all other personal records.

If you wish to see a copy of your records you should contact the Data Protection Officer (contact details below). You are entitled to receive a copy of your records free of charge, within a 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.

## Do I have Other Rights?

You have the right to opt out of the Open Version of the Register, at any time, and we must remove you from this version and tell the statutory recipients in the next update.

The Data Protection Act 2018 allows you other rights; for example if there is an error in your records you have the right to make sure it is corrected or erased.

You have the right to be told if we have made a mistake whilst processing your data and we will self report breaches to the Information Commissioner's Office.

In addition to these you may also have a right

- have your personal data transferred (data portability).
- prevent automated processing and profiling.
- erasure (also known as the right to be forgotten).
- restrict processing.
- object to processing.

Please note: Your right to erasure (also known as right to be forgotten) does **not** apply when processing is required for the performance of a public task (such as the maintaining of electoral registers). You can however request the any information collected on the grounds of consent i.e. your email or telephone number be deleted or removed at any time.

You can unsubscribe from receiving emails by emailing [elections@nottinghamcity.gov.uk](mailto:elections@nottinghamcity.gov.uk)

## Further information

If you would like to know more about how we use your information, or if for any reason you do not wish to have your information used in any of the ways described in this document, please tell us. Contact the Nottingham City Council, Data Protection Officer:

Email: [data.protection@nottinghamcity.gov.uk](mailto:data.protection@nottinghamcity.gov.uk)

Tel: 0115 8763855

Address: Loxley House, Station Street, Nottingham, NG2 3NG

You can also complain to the Information Commissioner: <https://ico.org.uk/>