

# Privacy Notice - Electoral Services

June 2021

<b>Data Controller</b>	<b>Electoral Registration Officer and Returning Officer Civic Centre St Peter's Square Wolverhampton WV1 1SH</b>
<b>Data Protection Registration Number</b>	<b>Z5569755</b>
<b>Data Protection Officer</b>	Anna Zollino-Biscotti - Information Governance Manager
<b>To access information held about you</b>	Information Governance Team Post: Use the Data Controller postal address above.  Telephone: 01902 55 4498  Email: <a href="mailto:data.protection@wolverhampton.gov.uk">data.protection@wolverhampton.gov.uk</a>

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## 1. Overview

The Electoral Registration Officer (ERO) and Returning Officer collect, hold and process personal information about residents and electors for the preparation of the electoral register and the subsequent organisation of elections or referenda. Personal details will be kept and updated in accordance with our legal obligations and in line with statutory retention periods.

This privacy notice tells you what to expect when Electoral Services processes your personal information, how it is used, shared and secured.

Your privacy is important to us and we are therefore committed to handling your personal data lawfully. Legislation and best practice guidance that we abide by is:

- General Data Protection Regulation (GDPR)
- Data Protection Act 2018
- Human Rights Act
- Caldicott Principles relating to confidentiality.
- Lord Chancellor's Code of Practice on the management of records
- Representation of the People Regulations 2001
- Electoral Registration and Administration Act 2013
- Representation of the People Act 1983
- The Representation of the People (Annual Canvass) (Amendment) Regulations 2019

## 2. Part 1: Electoral Registration - why we process your data

The Electoral Registration Officer is a data controller and 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, and an annual canvass is conducted to achieve this. We will only collect the personal data we need from you, in order to do this.

## 3. The legal basis for processing this data

- We do this in the performance of a task carried out in the public interest and in the exercise of our official duty under the Electoral Registration and Administration Act 2013, Representation of the People Regulations 2001 and The Representation of the People (Annual Canvass) (Amendment) Regulations 2019.

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 voters, citizens, candidates, election agents and staff employed at elections.

The records may include:

- 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.

<b>4. How we collect your data and from where</b>	
Face to Face:	We may keep a record of your contact from a visit to customer services or electoral services in order to assist with your registration. Any such records that include any personal information will be kept securely.
Telephone Calls:	Ordinarily we will inform you if we record or monitor any telephone calls you make to us. This is to increase your security, for our record keeping of the phone call and for training and quality purposes.
Emails:	If you email us we may keep a record of your contact and your email address for our record keeping. We will not include any confidential information about you in any email we send to you unless sent securely or you have agreed to us contacting you with this information. We would also suggest that you keep the amount of confidential information you send to us via email to a minimum.
On paper	You may complete registration forms or absent vote request forms on paper that you send to us. You may write us letters and send these in on paper.
Online	You may complete your registration online which is sent securely to the elections management system.

On systems	We may log any information you provide to us on a computer system to help us keep track of your request, or any actions we need to complete. We may add your information to systems where we are required to by law.
From other sources	We may receive information about you from other organisations or agencies on a legal basis such as: <ul style="list-style-type: none"> <li>• Central government (e.g. Department of Work and Pensions, HMRC)</li> <li>• Local government (e.g. Revenues and Benefits)</li> <li>• Other Electoral Registration Officers (if you have moved out of/ into a new local government area)</li> </ul>

## 5. Who will your information be shared with?

The information you provide is held in the electoral register which is managed by the Electoral Registration Officer who, using information received, keeps 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 (MPs, MEPs, local Councillors)
- Police and Crime Commissioner
- Candidates standing for elections
- Local and national political parties
- The Council
- Parish and town councils
- Police Forces
- 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

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>

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

- **Civica**. 303 Sperry Way, Stonehouse Business Park. Stonehouse. GL10 3UT
- **Digital Print Solutions**, Part of City of Wolverhampton Council, Civic Centre, St Peters Square, Wolverhampton, WV1 1SH
- **FCS Laser Mail**, Wood Lane, Erdington, Birmingham, B24 9QL

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, providing that:

- 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.

## 6. The annual canvass

From June 2020, on an annual basis, the electoral register will be matched with Department for Work and Pensions (DWP) records to return information to the ERO to indicate if there is a change or no change to household composition each year.

The data that will be shared:

- Elector full name
- Elector date of birth
- Address including postcode
- Unique property reference number

The ERO will use the match rate data to determine the appropriate annual canvass communication route for each property.

## **7. Part 2: Elections – why we process your data**

The Returning Officer is a data controller and collects personal data supplied in preparation for elections or referenda and to support results. We will only collect the personal data required in order to do this.

## **8. The legal basis for processing this data**

We do this in the performance of a task carried out in the public interest and in the exercise of our official duty under the Representation of the People Act 1983 and the Representation of the People Regulations 2001.

This ensures that elections or referenda are conducted in a robust, fair and transparent way.

We use records kept by the Electoral Registration Officer about potential and actual voters. In addition, we compile and use data relating to:

- Election candidates
- Voters who propose, second or subscribe candidate nomination papers
- Election, Counting and Polling Agents and their guests/partners
- Political Parties and their officials
- Staff employed at elections
- Contact details for polling stations and count centres

These records may be written down, or kept electronically on the Elections Management System.

## 9. Your data rights

The council routinely publishes sets of non-personal data we hold. You may find what you are looking for on the Publication Scheme here:

<http://www.wolverhampton.gov.uk/article/3196/The-Publication-Scheme>

If you have a different question you can make a request for non-personal information under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004 via:

Post:	Information Governance Team City of Wolverhampton Council Civic Centre St Peter's Square Wolverhampton WV1 1SH
Telephone:	01902 554498
Email:	<a href="mailto:foi@wolverhampton.gov.uk">foi@wolverhampton.gov.uk</a>

## 10. How to raise a complaint about information

If you have a complaint in relation to a request to see a copy of your records or a freedom of information request, please contact us in the first instance to request an internal review of our response.

- For Data Protection complaints, you can use the contact details form the “How to access information held about you” section.
- For Freedom of Information complaints, you can use the contact details form the “How to ask about other information held by the council” section.

If you follow this procedure and are still not happy, you may wish to contact The Information Commissioner's Office:

Post:	The Information Commissioner's Office Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF
Telephone:	0303 123 1113

Email:	<a href="mailto:casework@ico.org.uk">casework@ico.org.uk</a>
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