



Privacy Notice – Electoral Services

This privacy notice explains how the Electoral Registration Officer / Returning Officer for South Kesteven District Council collects and uses personal information about you to deliver the statutory elections and electoral registration service.

The Electoral Registration Officer/Returning Officer is a 'controller' of the personal data that we collect about you.

We will use information we collect from you for the lawful purpose of maintaining the register of electors and administering elections and referendums.

What personal data do we collect?

We keep records about potential and registered electors, voters and their proxies, candidates and their agents, details of those that have subscribed nomination forms or requested an election, staff employed at an election and the people responsible for venues we hire.

These records may include:

- Your name, address, nationality, date of birth, national insurance number, any previous name(s), telephone numbers and email addresses
- Scanned application forms and signatures
- proof of identification documents
- Notes about any relevant circumstances you have told us
- Your previous or redirected address
- Other occupants in your home
- If you are over 76 or aged 16/17
- Whether you have chosen to opt out of the open version of the electoral register.
- Bank details for staff we employ at elections
- Elector number
- Your photograph
- Additional information you have supplied to us if we have to make additional identity checks e.g. birth certificate, marriage certificate, driving licence, financial statements such as bank statements or credit card statements, utility bills, P45, P60)

What is the information used for?

We will only use the information you give us for electoral purposes, including matching it against other sources of data to support the electoral register. We will look after personal information securely and we will follow the data protection legislation. We will not give personal information about you, or any personal information you may provide on other people, to a third party unless we have to by law. Please see 'who your information may be shared with' for further details.

The information contained on the electoral register is used to conduct an annual canvass of households to ensure the register is kept up to date in accordance with the Representation of the People Regulations 2001, the Electoral Registration and Administration Act 2013 and the Representation of the People (Annual Canvass) (Amendment) Regulations 2019.

We will also use personal data contained on the electoral register and absent vote lists to issue poll cards and postal votes to electors at elections and referendums.

As of 2023 we will also use your data to process applications for a Voter Authority Certificate (VAC) where necessary. This includes:

- Establishing the identity of people who apply for a VAC
- Dealing with complaints about applications for a VAC
- Responding to appeals about refusals to issue a VAC

What is the legal basis for the use of personal information?

We will process your personal information in accordance with our obligations under the Data Protection Act 2018. In particular, we will use your personal information:

- Consent to use your email and/or telephone number
- For the performance of a public interest task which has a clear basis in law (see annex 1) or in the exercise of official authority vested in the Data Controller
- To comply with the ERO/RO's legal obligation(s); for examples please see the annex 2 to this privacy notice

Reasons for processing - some of the information that is collected and shared is classified as:

- special category personal data;
- criminal convictions and offences (including alleged offences).

This is processed for reasons of substantial public interest under the laws that apply to the ERO/RO where this helps to meet the broader social obligations such as where it is necessary to fulfil legal obligations and regulatory requirements.

Who your information may be shared with?

- To verify your identity when registering to vote 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 (DWP) and the Cabinet Office suppliers that are data processors for the Individual Electoral Registration Service. You can find more information about this here: <https://www.registertovote.service.gov.uk/register-to-vote/privacy>.
- Before conducting the annual canvass to update the electoral register, the Electoral Registration Officer must disclose data to the Cabinet Office as part of a national data match process. The national data match process involves the checking of information already held on the electoral register against data held by the DWP.
- Information provided for the issuing of VAC's is managed and stored on the ERO Portal hosted by the DLUHC.
- Software providers, contracted printers and suppliers who will use the information only on our instructions (eg annual canvass, poll cards, postal votes). They won't use it for any other reasons and they have to look after it in the same way we would.
- Other departments in the Council for the purpose of collecting debt, preventing fraud, identifying the misuse of public funds and any legal and statutory requirements

The information you provide is used to produce and maintain the full electoral register and the open (edited) register, which include name and address details.



We are required to provide copies of the **full electoral register** to certain individuals and organisations in accordance with the Representation of the People (England and Wales) Regulations 2001. These organisations and individuals are:

- Credit reference agencies, the British Library, the Office of National Statistics, the Electoral Commission and the Boundary Commissions and other statutory recipients of the Electoral Register.
- Jury Summoning Bureau – indicating those persons who are aged 76 or over who are no longer eligible for jury service
- Electoral Registration Officers and Returning Officers
- Registered political parties and local constituency parties, elected representatives, town and parish councils, candidates at elections and other permitted participants who are able to use it for electoral purposes only
- Crime prevention or the detection of fraud as part of the National Fraud Initiative Police Forces and other agencies for the prevention or detection of crime

Anyone who receives information from us has a legal duty to keep it confidential. It is a crime for anyone who has a copy of the full register to pass information from this register to others, if they do not have a lawful reason. The full list of people entitled to be supplied with the electoral register can be viewed on the Electoral Commission's website:

https://www.electoralcommission.org.uk/sites/default/files/2020-12/list%20of%20people%20entitled%20to%20be%20supplied%20with%20the%20electoral%20register_0.pdf

The full electoral register is a public document and can be viewed under supervision of our staff. Anyone inspecting the register can only take extracts by handwritten notes. The information must not be used for direct marketing purposes unless it has been published in the open (edited) register.

The open (edited) register is an extract of the full register. If your details are included in the open register, your name and address can be sold to third parties who may use it for any purpose. You can choose when you register whether you would like to be excluded from the open register. You can also opt out of the open register at any time by contacting electoral services. Your name and address will be included in the open register unless you ask for it to be removed.

How long we hold your information

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

Your rights

You have a number of rights which relate to your personal data.

You are entitled to request access to any personal data we hold about you and ask for a copy of it. We try to ensure that any information we hold about you is accurate. You have the right to ask us to correct this if it is found to be incorrect.

You have a right to request that we stop, or restrict the processing of your personal data, in certain circumstances. Where possible we will seek to comply with your request, but we may be required to continue to hold and process information to comply with a legal requirement.



SOUTH
KESTEVEN
DISTRICT
COUNCIL

If you have any concerns about how we process your personal data you should write to the Data Protection Officer, Council Offices, St Peter's Hill, Grantham, NG31 6PZ or email dpo@southkesteven.gov.uk or call us on 01476 40 60 80.

Alternatively you may wish to complain directly to the Information Commissioner's Office:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK8 5AF, telephone 0303 123 1113, www.ico.org.uk/concerns

Annex 1

The ERO has a statutory duty to;

- Maintain a list of UK Parliamentary and local government electors for the area for which they act;
- The requirement to take reasonable steps to obtain information for that purpose and to ensure as far as practicable that persons who are entitled to be registered (and no others) are. This includes collecting nationality data to determine eligibility;
- The requirement to conduct an annual canvass and to send Household Enquiry Forms throughout the year (This will result in the householder disclosing to the Electoral Services Team personal information about other members of the household);
- The requirement to give persons invitations to register; 2
- The requirement to take steps to encourage participation by electors in the electoral process;
- To meet such standards of performance as set by the Electoral Commission.



Annex 2

- Representation of the People Act 1983
- Representation of the People Act 1985
- Representation of the People Act 2000 (Schedule 4)
- The Representation of the People (England and Wales) Regulations 2001 (as amended)
- European Parliamentary Elections (Franchise of Relevant Citizens of the Union) Regulations 2001
- Electoral Administration Act 2006
- The Electoral Registration and Administration Act 2013
- The Electoral Registration and Administration Act 2013 (Transitional Provisions) Order 2013
- The Representation of the People (England and Wales) (Amendment and Description of Electoral Registers) Regulations 2013
- The Representation of the People (Appointment of Proxies) Regulations 2013
- The Representation of the People (England and Wales) (Amendment) Regulations 2014 and The Representation of the People (England and Wales) (Amendment No.2) Regulations 2014
- The Representation of the People (Supply of Information) Regulations 2014
- Electoral Registration Pilot Scheme Order 2014
- The Representation of the People (England and Wales) (Amendment) Regulations 2015
- The Electoral Registration and Administration Act 2013 (Transitional Provisions) Order 2015
- The Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2015
- The Representation of the People (England and Wales) (Amendment) Regulations 2016
- The Representation of the People (England and Wales) (Amendment) Regulations 2018
- Parliamentary Election Rules
- Political Parties, Elections and Referendums Act 2000
- The Local Elections (Principal Areas) (England & Wales) Rules 2006
- The Local Elections (Parishes & Communities) (England & Wales) Rules 2006
- Police & Crime Commissioner Rules 2012
- European Parliamentary Elections Act 2002
- Local Authorities (Conduct of Referendums) (England) Regulations 2012
- Neighbourhood Planning (Referendums) Regulations 2013
- Elections Act 202