



# Electoral Services and Your Personal Data

## How we handle your information

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 a statutory service under the Representation of the People Acts and Regulations.

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 and nationality
- unique identifiers (such as your NI number)
- scanned application forms & dates of any letters of correspondence,
- 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
- Email address and telephone number
- If you are over 76 or under 16/17
- whether you have chosen to opt out of the Open version of the Register
- which elections you are entitled to vote in
- whether you require a postal/proxy vote
- bank details of election staff

### 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.

The Full Electoral Register is a public document which can be viewed by appointment only under strict control. The Open Register is available for unsupervised inspection during office hours at Follaton House, Plymouth Road, Totnes.

It is important that your records are accurate and up-to-date as they will help make sure that our staff are able to provide you with the help, advice or support you need.

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

## **How long for?**

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

## **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

## **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 the Jury Central Summoning Bureau indicating those persons who are aged 76 or over and are no longer eligible for jury service
- to law enforcement agencies for the prevention or detection of a crime

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

## **Partner organisations**

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-tovote/privacy>.

The Cabinet Office will also inform the previous local authority of people who have moved areas.

Information will be processed within the EEA and will not be shared with overseas recipients. 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 and are given the opportunity annually usually at the beginning of August as part of the Canvass of all households.

## **Can I see my records?**

The Full Electoral Register is a public document which can be viewed by appointment only under strict control. The Open Register is available for unsupervised inspection during office hours at Follaton House, Plymouth Road, Totnes.

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. 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?**

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

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.

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

## **Further information**

If you have any queries, would like to exercise your rights or make a complaint, contact the Data Protection Officer by email to [data.protection@swdevon.gov.uk](mailto:data.protection@swdevon.gov.uk), telephone 01803 861234 or write to them at West Devon Borough Council, Kilworthy Park, Drake Road, Tavistock Devon PL19 0BZ.

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