

## **Electoral Registration Officer Privacy Notice**

**Data Controller** – Alison Broom, Electoral Registration Officer, Maidstone Council, Maidstone House, King Street, Maidstone, Kent, ME15 6JQ email [ElectoralServices@maidstone.gov.uk](mailto:ElectoralServices@maidstone.gov.uk)

**Data Protection Officer** – Angela Woodhouse, Head of Policy, Communications and Governance, Maidstone Borough Council: Email: [dataprotectionofficer@maidstone.gov.uk](mailto:dataprotectionofficer@maidstone.gov.uk) I liaise with her over good practice in relation to data protection. If you have any concerns or questions about how I look after your personal information, please contact the Data Protection Officer.

**Informative:** I keep two registers – the electoral register and the open register (also known as the edited register) using information received from the public.

**The electoral register** - this lists the names and addresses of everyone who is registered to vote in public elections. It 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** - this 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. If you are concerned that having your name or address on the register may affect your safety, there could be other options available to you. In certain circumstances, you can register without your name and address showing on the register. To find out more, please contact me at the address above. You can find out more information about both registers and how they may be used at:

[www.gov.uk/register-to-vote](http://www.gov.uk/register-to-vote)

**The right to object – I am required to explicitly bring to your attention, clearly and separately from any other information, the existence of your right to object to processing, based on the performance of a task in the public interest/exercise of official authority. Further details are provided below (see the section on your rights).**

**Processing activity** – I have a statutory duty to maintain a complete and accurate electoral register throughout the year. Where I intend to process your personal information for a purpose other than that for which the personal information was collected, I will provide you with information on that other purpose before doing so. In general terms, I process personal information relating to:

- Invitation to Register (ITR) applications

- documentary evidence
- absent voting
- annual canvass of households

**Information requirements**-to be able to vote in any election or referendum for which you are eligible, you are required by law to provide me with personal information for inclusion in the electoral register. In general terms, I process personal information relating to:

- 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, correspondence
- notes about any relevant circumstances that you have told me about
- your previous or any redirected address • 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
- certificates of registration
- bank details and car registration numbers of staff employed for electoral purposes
- documentary exceptions process (physical or mental health details) documents received as part of an application for anonymous registration
- staff appointment information
- records of persons supplied with absent voting lists
- records of persons supplied with the electoral register
- records of persons who pay to receive the electoral register

**Lawful basis** - my lawful basis for processing your personal information are:

- for the performance of a contract or taking steps to enter into such a contract i.e. where you are employed on polling station duties or as a canvasser
- consent to use your email and/or telephone number
- to comply with my legal obligation(s) under the Representation of the People Act 1983
- to comply with my legal obligation(s) under the Representation of the People Regulations 2001
- to comply with my legal obligation(s) under the Electoral Registration and Administration Act 2013
- for the performance of a public interest task which has a clear basis in law (see above) or in the exercise of official authority vested in me as Data Controller i.e. maintaining the register of electors, in the public interest, as provided for in electoral law

**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 me (see above) where this helps to meet my broader social obligations

such as where it is necessary for me to fulfil my legal obligations and regulatory requirements. Maidstone Borough Council has a Data Policy that sets out how this information will be handled.

**Data processor(s)** - 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 for 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](#).

I outsource to external service providers the printing process, including the printing of ballot papers, poll cards, postal packs and other electoral material. These external service providers are my data processors and only permitted to process your personal information in accordance with my written instructions.

**Data sharing** – the information you held on the electoral register is supplied to the following persons and/or organisations:

- British Library and national Libraries (Scottish and Welsh)
- Public Library or local authority archive services
- UK Statistics Authority
- Electoral Commission
- Boundary Commission for England
- Jury Summoning Bureau (indicating those persons who are aged 76 or over and are no longer eligible for jury service)
- Elected Representatives (MP, MEPs, local Councillors)
- Police and Crime Commissioner
- Candidates standing for elections
- Local and National Political Parties
- Maidstone Borough Council
- Parish and Community Councils
- Police Forces, National Crime Agency
- Government departments or bodies
- Credit Reference Agencies
- Cabinet Office (National Fraud Initiative)
- Electoral Registration Officers
- Electoral Returning Officers

I supply a list of absent voters to candidates standing for elections and registered political parties and supply 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.

An employee or councillor of Maidstone Borough Council may disclose or make use of information contained in the electoral register, where it is necessary for the discharge of a statutory function of the Council or any other local authority, relating to security, law enforcement and crime prevention.

I may rely on a number of **exemptions**, which allow me to share information without needing to identify a lawful basis for the sharing and without needing to

provide you with information about the sharing. Please refer to the Kent & Medway Information Agreement for further details on our sharing arrangements.

The electoral register is a **public document** which can be viewed by appointment only under strict control.

**International transfers** -should it be necessary to transfer personal information outside the European Economic Area it will only be transferred to a third country or international organisation which the European Commission has decided has appropriate safeguards, including binding corporate rules.

**Retention period** - I keep your personal information for the minimum period necessary. The information outlined in this Privacy Notice will be kept in accordance with the retention period(s) referred to in my Information Asset Register unless exceptional circumstances require longer retention e.g. pending legal action. All information will be held securely and disposed of confidentially.

## **Your Rights:**

**Right of access** -you can make a request to see the information I hold about you by submitting a subject access request. If you wish to see a copy of your personal information, please contact [ElectoralServices@maidstone.gov.uk](mailto:ElectoralServices@maidstone.gov.uk) or write to me at the above address.

**Right to rectification**- if your details change, or you believe I am processing inaccurate information about you, you can ask me to change it. Factual inaccuracies will be amended promptly but there may be instances where I am unable to change a record, such as where there is a difference of opinion on a comment made during a meeting. However, in such cases, a note will be placed on file to make sure your views are recorded. If you wish to amend inaccurate information, please contact [ElectoralServices@maidstone.gov.uk](mailto:ElectoralServices@maidstone.gov.uk) or write to me at the above address.

**Right to restrict processing** - you have the right to restrict the processing of your personal information if you are in dispute with me over its accuracy while it is being verified. You can also restrict my use of your personal information if the processing is unlawful and you oppose erasure and request restriction instead. If you wish to restrict the processing of your information, please contact [ElectoralServices@maidstone.gov.uk](mailto:ElectoralServices@maidstone.gov.uk) or write to me at the above address. If I no longer need your personal information for the purpose it was held, you can ask me to keep your personal information if it is required to establish, exercise or defend legal claims.

**Right to object** – where processing your personal information is required for the performance of a public interest task (see lawful bases above), you have the right to object on 'grounds relating to your particular situation'. I will have to demonstrate why it is appropriate for me to continue to use your personal data. You can object to the processing of your email or telephone contact details (see the right to erasure below) but not to the use of your name or home address which is required by law for the purpose of maintaining the electoral register.

*You have the right to opt out of the open electoral register at any time. I must remove you from this version and tell the statutory recipients in the next update.*

**Right to data portability** – where information has been collected by me on grounds of consent or in the context of an employment contract, you have the right to obtain and reuse personal information you have provided to me (in automated form) for your own purposes by asking me to move, copy or transfer your personal information from one IT environment to another, in a safe and secure way without hindrance to user ability. However, I can only offer data portability where I am able to, as I may be subject to system restrictions.

**Right to erasure (right to be forgotten)** – this right does not apply where my lawful basis for processing your personal information is the performance of a public task (such as the maintaining of the electoral register) or where your personal information is necessary for archival in the public interest e.g. you cannot ask me to remove you from 'old/historical' electoral registers since your inclusion on those registers originated from a legal obligation on me. However, you can request that information collected on grounds of consent (for example, where you give consent to the use of your email address) is deleted or removed at any time.

I am required to publish notices relating to an election. Although you could not use the 'right to be forgotten' to require that your details be removed from statutory notices, you can exercise the right to have your details removed from notices I have made available on Maidstone Borough Council's website after the election, if the deadline for the election petition had passed (when the notices serve no further purpose). I will either remove the notices from the website, or remove your personal information contained in these notices, once the petition deadline for that election has passed.

**Right to lodge a complaint** -If you wish to complain about how I am processing your personal information please contact Electoral Services Manager, Maidstone Borough Council, Maidstone House, King Street, Maidstone, Kent ME15 6JQ, Email: [ElectoralServices@maidstone.gov.uk](mailto:ElectoralServices@maidstone.gov.uk) or Tel: 01622 602000. You also have the right to complain to the: The Information Commissioner Wycliffe House Water Lane Wilmslow, Cheshire SK9 5AF Phone: 0303 123 1113 or 01625 545745 Website: [www.ico.org.uk](http://www.ico.org.uk)

For further details on your rights, refer to Maidstone Borough Council's data protection page

**Changes to this Privacy Notice** – this Privacy Notice will be regularly reviewed and updates placed on the website.