

## Directorate: Electoral services privacy notice

This should be read in conjunction with the main privacy notice

<b>Who we are</b>
<b>Electoral Registration Officer and Returning Officer</b> Swale Borough Council Swale House East Street Sittingbourne Kent ME10 3HT <b>Phone:</b> 01795 417850
<b>What Service is being provided?</b>
The Electoral Registration Officer and Returning Officer are obliged to process your personal data in relation to preparing for and conducting elections.
<b>How we collect information from you</b>
We collect information from you when you: <ul style="list-style-type: none"><li>• Visit Swale.Gov.uk</li><li>• Contact us in writing</li><li>• Speak to us on the phone, email or any other type of electronic communication</li><li>• Talk to us face to face</li></ul>
<b>What personal information do we collect from you</b>
<ul style="list-style-type: none"><li>• Your name, address, nationality and date of birth</li><li>• Unique identifiers (such as National Insurance Numbers).</li><li>• Signatures for absent vote checking</li><li>• Scanned application forms, documentary evidence, dates of any letters of correspondence.</li><li>• Notes about any relevant circumstances that you have told us</li><li>• Your previous or any redirected address</li><li>• The other occupants in your home</li><li>• If you are over 76 or 16/17</li><li>• Whether you have chosen to opt out of the open version of the register.</li><li>• bank details and car registration numbers of staff employed for electoral purposes</li><li>• documentary exceptions process (physical or mental health details)</li><li>• documents received as part of an application for anonymous registration</li><li>• staff appointment information</li><li>• records of persons supplied with absent voting lists</li><li>• records of persons supplied with the electoral register</li><li>• records of persons who pay to receive the electoral register</li></ul>

The data you provide will be processed by the Individual Electoral Registration Digital Service managed by the Department of Levelling Up, Housing and Communities (DLUHC) in order to verify your identity. As part of this process your data will be shared with the Department of Work and Pensions and DLUHC suppliers that are data processors for the Individual Electoral Registration Digital Service. You can find more information about this on the [GOV.UK website](#).

On 16 January 2023, The Voter Identification Regulations 2022 came into effect. This means that voters in England will need to show photo ID to vote at polling stations in some elections. I will process the following information relating to voter ID:

- Applications for Voter Authority Certificate
- Applications for Anonymous Elector's Document

### **Special types of personal information collected**

- Biometric documents used as proof of ID for registration applications

### **Why do we collect this information**

The Electoral Registration Officer and Returning 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. We will only collect the personal data we need from you in order to do this.

### **How the law allows us to use your personal information**

Under data protection law, UK GDPR Article 6(1), there are lawful bases that allow us to collect, process and share personal information. The lawful basis for processing your information for the outlined purpose is:

- Article 6(1) (e) processing is necessary for performance of a task in the public interest or official functions of the department

The collection of your personal data is a task carried out in the public interest to ensure you are registered and able to vote in any election, or referendum for which you are eligible, and to comply with the Electoral Registration and Administration Act 2013 and Representation of the People Regulations 2001.

The law makes it compulsory to provide information to an **electoral registration officer** for inclusion in the full register. To meet our statutory obligations, we keep records about potential and actual electors, voters, citizens, candidates

and their agents, as well as staff employed at the annual canvass and elections. These may be written down, or kept on a computer.

The **Electoral Registration Officer and Returning Officer** is required to keep a record of your personal data in order to comply with:

- 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
- Representation of the Peoples Act 1983,
- Electoral Registration and Administration Act 2013,
- Representation of the People Regulations 2001
- Electoral Registration (Disclosure of Electoral Registers) Regulations 2013.
- The Voter Identification Regulations 2022

#### **Who will we share this information with**

- The information will be shared with relevant teams within the council.
- The Police, HMRC, or other relevant body for prevention or detection of crime/fraud or other legal obligation

The information you provide is held in electoral registers which are managed by **electoral registration officers** who, using information received, keep two registers – the full electoral register and the open (edited) register.

The full register is published once a year and is updated every month. In accordance with the specific legislative provisions which permit its supply and restrict its use. It may only be supplied to the following people and organisations:

- British Library and National Libraries (Scottish and Welsh)
- UK Statistics Authority
- Electoral Commission
- Boundary Commission for England
- Jury Summoning Bureau
- Elected Representatives (MP, Local Councillors, Parish Councillors, Combined Authority Mayor, Local Authority Mayor, Member of the Senedd, Member of Scottish Parliament)
- Police and Crime Commissioner
- Candidates standing for elections
- Local and National Political Parties
- The Council
- Parish and Community councils
- Police Forces, National Crime Agency
- Public Library or local authority archive services
- Government departments or bodies
- Credit Reference Agencies
- National Fraud Initiative
- Electoral Registration Officers and Returning Officers

We also have to disclose (share) your information with our Software providers and contracted printers, this is subject to appropriate safeguards.

It is a criminal offence for anyone who has a copy of the full register to supply, disclose or otherwise make use of information in this register for any purpose other than that set out in relevant legislation.

Anyone can inspect the full electoral register.

- Inspection of the register will be under supervision
- Those inspecting it may take extracts from the register, but only by hand written 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 incur a penalty of up to £5,000.

The open register contains the same information as the full register, but is not used for elections or referendums. It is updated and published every month and may 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 included in 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.

#### **How long will we keep your information for**

The Electoral Registration Officer and 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.

#### **Your rights in relation to the personal information we process for this purpose**

- **Right to be informed** – You have the right to be informed about the collection and use of their personal information.
- **The Right of Access** – you can request copies of any of your personal information that is held by the Council.
- **The Right to Rectification** – you can ask us to correct any incorrect information.

- **Right to Erasure** – you can ask us to delete your personal information. The Council can refuse to delete information if we have a lawful reason to keep this.
- **Right to object or restrict processing** – you have the right to object to how your information is being used and how it is going to be used in the future.

#### **How you can access information held about you**

By law, you have rights as a data subject, such as the rights detailed above. These rights are not absolute, but if you would like to exercise your rights or make a complaint regarding how your information is used, you should contact the Data Protection Officer at:

**Email:** [DataProtectionOfficer@Swale.gov.uk](mailto:DataProtectionOfficer@Swale.gov.uk)

**Telephone:** 01795 417 114

#### **For independent advice about data protection, privacy and data sharing issues You can contact the Information Commissioner's Office (ICO)**

Information Commissioners Officer  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

**Phone:** 0303 123 1113

**Email:** [casework@ico.org.uk](mailto:casework@ico.org.uk)

**Website:** <https://ico.org.uk/>