



Electoral Services Privacy Notice

The law relating to how we collect, hold and process personal data has changed, following the introduction of the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA). This notice provides information on what we do with your data and your rights.

Who holds my data for electoral purposes and what records do they hold?

The Electoral Registration Officer (ERO) and Returning Officer (RO) are data controllers who collect and use information about residents to carry out their statutory functions in relation to electoral registration and the running of elections and other polls at which registered electors get to vote. Collecting certain information is necessary for the performance of these tasks. This is carried out in the public interest and by exercise of official authority as vested in the ERO and RO by the Representation of the People Act 1983 and associated regulations.

The ERO and RO are registered with the Information Commissioner. The registration number is ZA017879. You can check the registration here:

<https://ico.org.uk/about-the-ico/what-we-do/register-of-fee-payers/>

We keep records about potential and actual electors, voters, citizens, election candidates and their agents, staff employed at an election and the people we need to pay. These may be paper copies or kept on a computer.

Depending on why we hold information about you, these records may include:

- basic details about you – for example, your name, address, date of birth and nationality
- unique identifiers (such as your national insurance number)
- application forms and 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 76 or under 18
- whether you have chosen to opt out of the open version of the register of electors
- contact details in connection with your registration as a voter or the completion of a canvass communication.

We will, if you are eligible to be registered, include your name on the electoral register so that you are able to vote.

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

How long will we keep it for?

The ERO and RO need to process your personal data in order to prepare for and conduct elections. Your details will be kept and updated in accordance with our legal obligations and in line with statutory retention periods and the periods in our retention schedule.

The period for which we will keep information depends on what the information is and why we process it. We will securely dispose of data about you when we are required to do so.

Occasions when your information needs to be shared include:

- with our software providers and printers, to compile and manage the register and to print your poll cards and other electoral material
- with registered political parties, elected representatives, candidates, agents and other permitted participants who can use it for electoral purposes only
- with credit reference agencies, the British Library, UK Statistics Authority, the Electoral Commission and other recipients who are statutorily entitled to receive a copy of the electoral register
- details of whether you have voted (but not how you have voted) with 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, including crime prevention or the detection of fraud as part of the National Fraud Initiative

We are required by law to report certain information to appropriate authorities. For example:

- where a formal court order has been issued
- for the prevention or detection of a crime
- to the Jury Central Summoning Bureau indicating those persons who are aged 76 or over and are no longer eligible for jury service

Partner organisations

Checking citizens' personal identifiers to ensure eligibility for inclusion in the electoral register is a function of the Individual Electoral Registration Digital Service (IERDS). To verify your identity, the data you provide will be processed by the IERDS 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 IERDS. You can find more information about this here:

<https://registertovote.service.gov.uk/register-to-vote/privacy>

The Cabinet Office will also inform local authorities when people have moved out of their area.

There are two registers. Why?

Using information received from the public, registration officers keep two registers – the electoral register and the open register (also known as the edited register).

The full electoral register

The electoral register lists the names and addresses of everyone who is registered to vote in public elections. The register 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 (fraud)
- calling people for jury service
- checking credit applications.

The open register

The open register 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.

You can opt out of having your details included in this version of the register at any time by:

- emailing elections@scilly.gov.uk; or
- writing to the Electoral Registration Officer, Council of the Isles of Scilly, Town Hall, St Mary's, Isles of Scilly, TR21 0LW

If you are concerned that having your name and address on the electoral 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 contact your ERO. You can find out more information about both registers and how they may be used at gov.uk/register-to-vote.

Can I see my records?

The GDPR and DPA allow you to find out what information is held about you, on paper and computer records. This is known as the 'right of subject access' and applies to records the ERO and RO hold about you for electoral purposes, along with all other personal records.

If you wish to see a copy of your records you should contact the Electoral Registration Officer, Council of the Isles of Scilly, Town Hall, St Mary's, Isles of Scilly, TR21 0LW (tel: 01720 424545 or email: elections@scilly.gov.uk). You are entitled to receive a copy of your records free of charge, within one 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. If this happens we will provide what information we can and explain why we cannot provide other information we hold. Generally, we cannot provide you with information about other people.

Your email and telephone number(s)

We may have records of email addresses or phone numbers collected through a previous canvass communication or an application to register. We will only use this information in pursuit of our statutory registration duties and will not disclose it to any third party

unless required by law. You have the right to object to further processing of your contact information at any time and can request that we delete it from our system by:

- emailing elections@scilly.gov.uk; or
- writing to the Electoral Registration Officer, Council of the Isles of Scilly, Town Hall, St Mary's, Isles of Scilly, TR21 0LW

Do I have other rights?

The GDPR and DPA allow you a number of other rights:

- to have information we hold about you rectified if it is incorrect or incomplete (but you will need to provide evidence before we can do so)
- to have your information erased where we do not have a legal requirement to retain it
- to withdraw your consent if you no longer wish us to process information you have provided by consent
- to restrict how we process your information, i.e. object to us using your information for marketing or research purposes or in relation to a legal task or in the exercise of an official authority
- to request that a person reviews an automated decision where it has had an adverse effect on you

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

Further information

If you would like to know more about how we use your information, please tell us. You can contact the ERO by:

- emailing elections@scilly.gov.uk; or
- writing to the Electoral Registration Officer, Council of the Isles of Scilly, Town Hall, St Mary's, Isles of Scilly, TR21 0LW

Please refer any complaints to us initially so we can try to put things right. However, if you are unhappy with the way we have processed your information or how we have responded to your request to exercise any of your data rights, you can raise your concerns with the Information Commissioner's Office:

Tel: 0303 123 1113

Web: <https://ico.org.uk/make-a-complaint/>