

## Privacy Notice Electoral Services

This notice explains when we collect personal information, what we use your data for, who has access, who we share it with, and what your rights are.

### Who are we?

Electoral Services  
Reading Borough Council  
Civic Offices  
Bridge Street  
Reading  
RG1 2LU

The Electoral Registration Officer (ERO) and Returning Officer (RO) are the Data Controllers, who collect and use the information in order to meet their statutory duties in relation to preparing for and conducting elections. Both posts are held by the Head of Legal & Democratic Services.

The ERO has a statutory duty to take all necessary steps to compile and maintain a comprehensive and accurate electoral register for the local authority's area.

The RO has the statutory responsibility to run all elections in Reading.

### What is the lawful basis for processing the information?

The lawful basis for processing your information is the performance of a public task, and is necessary to comply with a legal obligation as specified by electoral law and Regulation, including the following legislation:

- Electoral Registration and Administration Act 2013
- The Representation of the People (England and Wales) Regulations 2001
- Representation of the People Act 1983

### Why is information recorded about me?

We collect and process a range of information about citizens, electors and participants in elections. This is to enable Electoral Services to carry out its statutory duties and functions, provide you with a service, and continue to make service improvements. 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 and signature)
- other information that you give to us to help us contact you (such as email address, phone number)

- scanned application forms & dates of any letters of correspondence,
- your involvement in elections
- notes about any relevant circumstances that you have told us
- details and records about your electoral registration and electoral history and services you have requested and received from us
- your previous or any redirected address
- The 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

Your records are used to meet our statutory duty to maintain a full and comprehensive electoral register and to allow you to vote in elections and referenda.

- 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 Electoral Register is a public document which can be viewed by appointment only under strict control.
- It is important that your records are accurate and up-to-date as they will help make sure that citizens who are entitled to vote are able to do so.
- 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 do we collect information from you?**

Information is collected from you as the service user via online web forms, hard copy documents, e-mail, by telephone or through face-to-face discussion and house-to-house canvassing. This information will be collected:

- Directly from you as the data subject, or from the Government registration website ([www.gov.uk/register tovote](http://www.gov.uk/register tovote)), or via registration and absent voting application forms and canvass returns
- From inspecting records held by other Council Services and other records which the Electoral Registration Officer is permitted by law to inspect.

#### **What is the information used for?**

All information provided is used by Electoral Services to meet our legal and public service obligations. The ERO and RO are obliged to process your personal data to prepare for and conduct elections.

- 1) To ensure you are registered to vote. This includes:
  - Subject to your being qualified to vote, and subject to your nationality, including your name on the Electoral Register so you are able to vote in any election by your chosen method (eg in person, post, by proxy).
  - Producing and maintaining the full electoral register, and the open (edited) register, for Reading
- 2) For the conduct of elections and referendums, and to publish results figures on the Council's website (anonymised)
- 3) To respond to enquiries and other matters (anonymised)

4) To analyse statistical data for service development purposes (anonymised)

### **Who we may share your information with?**

Personal data held on the electoral registration database may only be supplied or sold as provided by Sections 94 to 114 of the 2001 Regulations, and only for electoral purposes or other purposes specified in those Regulations. These are:

- To Reading Borough Council and other local authorities, including public libraries and the Berkshire Archive Service
- To the third-party contractor that provides and maintains our electoral services database
- 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
- To the British Library, UK Statistics Authority, the Electoral Commission and other statutory recipients of the Electoral Register
- To the police and other specified agencies for the purposes of crime prevention, detection and enforcement and national security
- Sold to Credit reference agencies
- 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.

Reading Borough Council will not disclose any personal information held on its Electoral Registration database to any other third parties, except where required or allowed by law.

### **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 law enforcement agencies 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**

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-to-vote/privacy>

The process of checking citizens' personal identifiers to ensure eligibility for inclusion in the Electoral Register, is controlled by the Cabinet Office via the IER Digital Service.

This includes:

- The Department for Work and Pensions who use data provided to verify the identity of new applicants
- The Cabinet Office will inform the former local authority of people who have moved area

Information will be processed within the EEA and will not be shared with overseas recipients.

## Electoral Register

The information is used to produce two registers: the full electoral register and the open (edited) register. The full register can be supplied to the following people and organisations:

- British Library
- UK Statistics Authority
- Electoral Commission
- Boundary Commission for England
- Jury Summoning Bureau
- Elected Representatives (MP, MEPS, Local Councillors)
- Police and Crime Commissioner
- Candidates standing for elections
- Local and National Political Parties
- Reading Borough 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 and Returning Officers

The full register is also open to public inspection with the following requirements:

- Inspection must take place under supervision
- Extracts may only be recorded by making hand written notes
- Information recorded must not be used for commercial purposes, unless it has been published in the open register
- Anyone who fails to observe these conditions is committing a criminal offence and could face a penalty fine up to £5,000

The open register can be sold to any person, organisation or company that requests it. You can choose whether or not to have your details included in the open register, however they will be included unless you ask for them to be removed. You are given the opportunity to opt out annually as part of the Canvass of all households. And you can opt out of this version of the register at any time by emailing:

[ElectoralServices@reading.gov.uk](mailto:ElectoralServices@reading.gov.uk).

## Who has access to the information about you?

Your information is managed by staff employed in Electoral Services.

All personal data is stored securely. We have in place security measures which are intended to ensure, as far as possible, the security and integrity of all personally identifiable information.

Your data is stored securely on our Xpress electoral administration database, which is accessed only by authorised officers of Reading Borough Council by using their own Username and Password, all created in-line with pre-defined user credentials. Personal data is also held in electronic files on the Council's network drives. These are only accessible through personal logon credentials and access privileges to specific drives.

We cannot guarantee the security of your data that you transmit to our sites, which is at your own risk. Once we have received your information, we will use strict procedures and security features to prevent unauthorised access, and any exchanges of information carried out once we are in receipt of your data will be done securely and under encryption.

Any personal data held in paper format is held in lockable filing storage, and accessed only by authorised officers, as is data held on audio or CD/DVD media. Data may be stored in paper form and is always secured in lockable cabinets when not in use. Access to Council sites is also secure requiring a personal electronic pass (lanyard) to access staff only areas.

Where Electoral Services engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality, and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

To ensure that information held is continued to be held securely and that accuracy is maintained, there will also be instances where our system suppliers will need to access an individual's personal information. This will be on a strict need-to-know basis and all contracts have confidentiality clauses built in.

#### **How long do we store your information?**

Your details will be kept and updated in accordance with our legal obligations and in line with statutory retention periods. The duration that the Council will hold information, and what happens at the end of that period, are as described within the Council's publication scheme available on our website. The key periods are:

- Annual registration forms - destroyed after 12 months
- Postal vote applications - held indefinitely
- Local election returns and declarations of expenses - destroyed after 2 years
- Parliamentary election returns and declarations of expenses - destroyed after 12 months
- All other local election material - destroyed after 12 months

#### **Does the service utilise automated decision-making?**

Electoral Services does not utilise automated decision-making in the services that it provides.

## Can I see my records?

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 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 self-report breaches to the Information Commissioner.

## Further information

If you would like to know more about how we use your information, or if for any reason you do not wish to have your information used in any of the ways described in this leaflet, please tell us. Contact the Data Protection Officer:

Ricky Gill  
Information Governance Officer  
Reading Borough Council,  
Civic Offices  
Bridge Street  
Reading  
RG1 2LU

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

V2 June 2018