

Privacy Notice
Electoral Registration Officer / Returning Officer

June 2021

Introduction

This privacy notice explains how the Electoral Registration Officer / Returning Officer for Conwy County Borough Council collects and uses personal information about you to deliver services efficiently and effectively.

We use this information to enable us to carry out specific functions for which we are responsible and to provide you with a statutory service, as set out in the Representation of the People Act 1983, Electoral Administration Act 2013, Senedd and Elections (Wales) Act 2020, and associated regulations.

The Electoral Registration Officer / Returning Officer is the Data Controller and is registered with the information Commissioner's Office under registration reference Z4838373. The Data Controller:

Iwan Davies, Conwy County Borough Council, Bodlondeb, Conwy, LL32 8DU.

What information is recorded?

We keep records about potential and actual electors, details about those that request an election, candidates and their agents, details of those that have subscribed nomination forms, staff employed at an election. 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, National insurance number, contact details (email address/telephone number), signature, nationality and your previous address
- Absent vote information (postal / proxy including details of your proxy and anyone who has helped you)
- Scanned application forms and dates of any letters of correspondence
- Notes about any relevant circumstances that you have told us
- Other occupants in your home
- If you are over the age of 76 or between 14 and 18 years old

- Whether you have chosen to opt out of the Open version of the Register (for further information about the Open register www.gov.uk/register-to-vote). This does not apply to those under 16 who are automatically excluded from the Open register
- Any further evidence we may require from you, such as copies of your passport, EEA identity card, marriage certificate, driving licence or proof of a person's right to remain
- Political affiliation

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 your information is not correct, then please contact us so that we can rectify this.

What is the information used for?

We will only use the information you give us for electoral purposes. We will look after personal information securely and we will follow the data protection legislation. We will not give personal information about you, or any personal information you may provide on other people, to anyone else or another organisation unless we have to by law. The name, address and date of birth of any applicant under 18 may be shared by the ERO with the educational body responsible for applicants education records in accordance with Section 16 of the Senedd and Elections (Wales) Act 2020. An example of this would be if an applicant lives in this authority but goes to school in a neighbouring authority. This is so the applicants identity can be verified before being entered onto the electoral register.

The Electoral Register is a public document which can be viewed by appointment only under strict control. The Electoral Register available for public view will not contain the names of 14/15 year olds.

Your information may be shared / disclosed with the following –

- To verify your identity when registering to vote, 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 (DWP) 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>

- Contracted printer or supplier (processor) who act on our behalf
- Registered political parties, elected representatives, town and community councils, candidates, agents and other permitted participants who are able to use it for electoral purposes only
- The Council
- 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
- Before conducting the annual canvass, the ERO must disclose data to the Minister for the Cabinet Office as part of a national data match step. The national data match step involves the checking of information already held on the electoral register against data held by the DWP.

Anyone who receives information from us has a legal duty to keep it confidential. They won't use it for any other reasons and they have to look after it in the same way.

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

How long for?

The Electoral Registration Officer / Returning Officer is 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. The Electoral Registration Officer / Returning Officer maintains a separate document retention policy.

Processing information in connection with data matching and data mining

Individual information from the national data match step will not be disclosed to any person other than to the ERO or for the purposes of any civil or criminal proceeding. The ERO is legally entitled to access local data sets and to inspect and make copies of records kept by the council (Regulation 35 and 35A of the Representation of the People (England and Wales) Regulations 2001). Examples of local data sets include council tax data, education data and registrar's data. The ERO is able to use this local data to match electors and find new electors (data mining). All local data provided to the ERO will be stored securely and processed in accordance with data protection legislation.

Special Categories of personal data

Some of the information that is collected is classified as special category personal data. This is processed for reason of substantial public interest as set out in Representation of the People Act 1983, Electoral Administration Act 2013, Senedd and Elections (Wales) Act 2020, and associated regulations. To process this type of information we have a separate policy document that sets out how this information will be handled.

Protection of information about persons aged under 16

Information held about a person under the age of 16 will be protected as required in the Senedd and Elections (Wales) Act 2020:

<http://www.legislation.gov.uk/anaw/2020/1/section/24>

Right to Object

You have the right to object to the use of your email address or telephone contact details for the purposes of electoral registration. If you no longer want to be contacted by email or telephone you should contact the Electoral Registration Officer who is the Data Controller to unsubscribe.

Right to be Forgotten

This does not apply when maintaining the electoral register. You cannot ask for your details to be removed from old/historical registers.

How to contact us

To exercise any of your rights under the Data Protection legislation please contact us:

- by email – electoral@conwy.gov.uk
- by telephone – 01492 576052
- by post – Electoral, Bodlondeb, Conwy, LL32 8DU

If you are not happy with the response you receive from us you have the right to make a complaint to the Information Commissioner's Office at:

ICO Wales

2nd Floor

Churchill House

Churchill Way

Cardiff

CF10 2HH

Telephone: 029 2067 8400

Fax: 029 2067 8399

Email: wales@ico.org.uk

Website: ico.org.uk