



## Electoral Services Privacy Notice

Who is the Data Controller?	Tracy Manning, Electoral Registration Officer and Returning Officer (including Acting, Deputy, Local)
What information do we collect from you?	<p>We keep records about potential and actual electors, voters, citizens, candidates and their agents, staff employed at an election or by the ERO and the people we need to pay. These may be written down or kept on a computer.</p> <p>These records may include:</p> <ul style="list-style-type: none"><li>▪ basic details about you e.g. your name, address, date of birth and nationality</li><li>▪ telephone numbers and email addresses</li><li>▪ unique identifiers (such as your National Insurance number, elector number)</li><li>▪ scanned application forms, emails and correspondence</li><li>▪ notes about any relevant circumstances that you may have told us about</li><li>▪ your previous or any redirected address</li><li>▪ the other occupants in your home</li><li>▪ if you are over 76 or under 18</li><li>▪ whether you have chosen to opt-out of the open version of the register of electors.</li></ul> <p>In addition, if you work for the RO on election duties or for the ERO for registration duties these may also include:</p> <ul style="list-style-type: none"><li>▪ payroll and tax status</li></ul> <p>If you are a candidate at an election, an appointed agent at an election or a campaigner we may also hold these details:</p> <ul style="list-style-type: none"><li>▪ political party affiliation</li><li>▪ campaign group affiliation</li><li>▪ elections expenses</li></ul> <p>When you apply to register to vote, 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.</p> <p>Where it is not possible to verify an elector's identity via the Individual Electoral Registration Digital Service, there may be additional processing of personal data in respect of supplementary evidence of identity submitted by applicants.</p> <p>In relation to particular categories of elector (service voters, overseas electors, crown servants, etc) there may be additional information processed. For example, in relation to service voters, information may be processed relating to type of service</p>

	<p>(Army/Navy/Air Force), Rank, Regiment and BFPO address.</p> <p>Where an elector requests an absent vote (i.e. to vote by post or proxy) personal identifiers in the form of signatures and dates of birth will be processed. For postal voter's redirection addresses will be collected and for proxy voters details of the electors' nominated proxies will be processed.</p> <p>At elections we will process, in addition to the information relating to electors, information relating to candidates, candidate's agents and individuals subscribing candidate's nomination papers.</p> <p>Personal data will be processed relating to staff employed directly by the Electoral Registration Officer or the Returning Officer. Such staff data will include an employee's name, address, other contact details, national insurance number and bank details.</p> <p>Personal data relating to individuals making enquiries or making submissions to election-related statutory consultations will also be processed.</p> <p>We also process the following special category personal information:</p> <ul style="list-style-type: none"> <li>▪ Race and ethnic origin, insofar as it may be possible for this to be inferred from nationality information.</li> <li>▪ Political opinions - such as information contained within subscribed nomination papers.</li> <li>▪ Health data - this may be contained within applications to vote by proxy or for an application for a waiver.</li> </ul> <p>In limited circumstances we will also process personal data relating to "criminal convictions and offences" (which under the Data Protection Act 2018 includes the alleged commission of offences) - for example the Electoral Registration Officer may receive a request to register to vote from a prisoner on remand or an application for anonymous registration may contain references to the alleged commission of offences by an identifiable third party.</p>
How do we collect personal information?	<p>We may collect your personal information in a number of ways, for example:</p> <ul style="list-style-type: none"> <li>▪ In person</li> <li>▪ In writing - for example, application form, letter or email</li> <li>▪ Telephone calls</li> <li>▪ Online forms</li> <li>▪ Referrals from another department</li> <li>▪ Enquiries received from the following organisations: <ul style="list-style-type: none"> <li>▪ Police forces</li> <li>▪ Department for Work and Pensions (DWP)</li> <li>▪ HM Revenues and Customs (HMRC)</li> </ul> </li> </ul>
Why do we collect this information?	<p>We collect your personal information for the following purposes:</p> <ul style="list-style-type: none"> <li>▪ The compilation and maintenance of the electoral register (there are two versions of the electoral register - the full version and the edited/open version)</li> </ul>

- to undertake our statutory obligation to ensure that all eligible people in Fylde are registered to vote
- to enable all registered electors to participate in elections and referendums
- to enable eligible people to stand as candidates in elections in accordance with statutory requirements
- fulfilling legal obligations to publish statutory notices containing personal details of candidates and election agents
- fulfilling legal obligations relating to the supply or sale of the electoral register
- fulfilling obligations relating to the supply of absent voting lists
- for the administration of local and national elections and referenda
- If you are a counting agent, polling agent, postal vote agent, nominating officer or similar official, managing the election processes in which you are involved
- If you are employed by the Electoral Registration Officer or the Returning Officer, managing that employment
- If you make an enquiry or complaint, dealing with that enquiry or complaint.

With regard to the above, we will specifically use personal information on the register of electors to:

- conduct an annual canvass of all households to establish all eligible persons who are entitled to be registered, including data matching with nationally and locally held data
- produce letters and application forms
- production and issue of poll cards to electors and to proxies, postal voting packs and polling station registers
- determining which electors are entitled to be issued with ballot papers at polling stations
- determining which electors are entitled to vote by way of an absent vote
- If you are an absent voter, the compilation and maintenance of records of absent voters
- If you are a postal voter, receiving and processing your completed postal vote and postal voting statement
- To contact you, via telephone or email, about your registration or to update the register of electors

#### **Automated Decision Making**

If you are a postal voter, we use your information to make decisions through automated means when we check personal identifiers that you provide against those contained in your original postal vote application. In any case where the automated process reports that the personal identifiers you have provided do not match those on your original postal vote application, there will be an intervention by a human being who will make any final decision (i.e. there will always be the involvement of a human decision-maker where the result of the automated process indicates the possibility of a decision to your detriment).

	<p><b>Data Retention</b></p> <p><b>Electoral Registration</b></p> <p>We will retain any documents that contain your personal information for only as long as it takes for your registration application to be determined following which we securely dispose of the documents.</p> <p>We retain electronic information about persons on the electoral register for only as long as they remain registered, following which the information will be deleted.</p> <p><b>Candidates standing for election</b></p> <p>We are required by law (Principal Area Rules 2006) to retain candidate nomination papers for candidates standing in elections for no longer than 12 months after the election, following which the documents are securely destroyed.</p> <p>Home address forms provided by candidates standing in General Elections are retained for a period of 21 days after the return of the legal writ, following which they are securely disposed of. However, if an election petition relating to the election is presented within the 21 calendar days, the home address forms must be kept securely until the conclusion of the petition proceedings (including any appeal from such proceedings). They must then be securely destroyed on the next working day following the conclusion of the proceedings or appeal.</p> <p>We are required by law to retain candidate election expenses documents for a period of no more than 2 years from the date on which the expenses are received. At the end of the two year period, the respective candidate can request the return of the expenses documents. Otherwise the expenses documents will be securely disposed of.</p>
Who might we share your information with?	<p>We are required by law to provide copies of the full register of electors to certain organisations and individuals (such as political parties, agents, candidates and some government organisations like the Electoral Commission and the Office for National Statistics). A full list of these organisations and individuals can be viewed on the Electoral Commissions website <a href="#">here</a>.</p> <p>They may use it for their own reasons which are different to ours but they still have to look after the data contained in the register in the same way that we do.</p> <p>The data you provide will be processed by the Individual Electoral Registration Digital Service (IERDS), which is managed by the Cabinet Office, to verify your identity when making an application to register to vote, and to confirm your name and address at the start of the annual canvass each year. As part of this process, your data will be shared with the Department for Work and Pensions (DWP) and the Cabinet Office suppliers that are data processors for the IERDS. Find out more information about this at <a href="#">GOV.UK: Register to Vote Privacy Policy</a>.</p> <p>If you have not opted out of being included on the open register, by law your information can be shared with anyone who requests it. They may use it for their own reasons which are different to ours. Find out more information about the difference</p>

	<p>between the full and open registers at <a href="https://www.gov.uk/electoral-register-and-open-register">GOV.UK: The electoral register and the 'open register'</a>.</p> <p>In accordance with law, the full register of electors has to be made available for public inspection. The full register of electors is available to be viewed by any member of the public at Fylde Council. People who inspect the register must be supervised and are only allowed to take hand written notes. They are not allowed to take copies or photographs of the register.</p> <p>Both the full and open registers are comprised of names and addresses. They do not contain any phone numbers or email addresses.</p> <p>Other occasions when your information needs to be shared include:</p> <ul style="list-style-type: none"> <li>▪ With our printers and software providers, to compile and manage the register, to print poll cards, postal vote packs and other electoral material</li> <li>▪ With credit reference agencies, the British Library and other statutory recipients of the register of electors</li> <li>▪ 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</li> <li>▪ Where the health and safety of others is at risk</li> <li>▪ 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</li> <li>▪ The Government's GOV Notify service, to send emails and text messages about the register of electors, where relevant contact details are held</li> <li>▪ The Cabinet Office and Department for Work and Pensions, to carry out national data matching as part of the annual canvass of households</li> <li>▪ The Fylde Parliamentary constituency boundary covers a few Wyre Council wards. So, if you live within one of the Wyre wards data will be shared between the two councils for the purpose of running a Parliamentary Election.</li> <li>▪ Staff details will be shared with other staff working on an Election i.e. name / telephone / email address only. Internal departments will also receive all personal information for processing payroll.</li> </ul> <p>We are required by law to report certain information to appropriate authorities - for example</p> <ul style="list-style-type: none"> <li>▪ where a formal court order has been issued</li> <li>▪ for the prevention or detection of a crime</li> <li>▪ to the Jury Central Summoning Bureau indicating those persons who are aged 76 or over and are no longer eligible for jury service</li> </ul> <p>We will not share your personal information with any other third parties unless you have specifically asked us to do so.</p>
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What do we do with your information?	<p>We use it to compile the electoral register and to run elections. We won't use it for any other purposes without your consent, or without telling you first.</p> <p>Sometimes we must give it to other authorities, organisations or people who have a legal right to ask for it such as internal departments for planning matters or property development. We don't need your consent to do this, but if it is appropriate, we'll let you know if we've passed your information on.</p>																																																		
How long do we keep your information?	<p>We keep your information as set out in our retention schedule below –</p> <p><b>Retention Schedule</b></p> <table border="1"> <thead> <tr> <th>Type of document</th> <th>Lawful basis collected</th> <th>Retained</th> </tr> </thead> <tbody> <tr> <td>Canvass Communication</td> <td rowspan="2">Legal Obligation</td> <td>July – February</td> </tr> <tr> <td>Invitations To Register (ITR's)</td> <td>1 Month</td> </tr> <tr> <td>Requests for Evidence</td> <td>Legal Obligation</td> <td>Hard copies - 1 month Data - 1 year</td> </tr> <tr> <td>Applications from Special Category Electors</td> <td>Legal Obligation</td> <td>1 Month</td> </tr> <tr> <td>Applications from Anonymous Electors</td> <td>Legal Obligation</td> <td>1 - Year</td> </tr> <tr> <td>Absent Vote Applications</td> <td>Legal Obligation</td> <td>3 Years</td> </tr> <tr> <td>Personal Identifier Signature Refresh Applications</td> <td>Legal Obligation</td> <td>3 Years</td> </tr> <tr> <td>Voter Authority Certificates (VACs)</td> <td>Legal Obligation</td> <td>1 Year</td> </tr> <tr> <td>Requests for copies of the Electoral Register</td> <td>Legal Obligation</td> <td>2 Years</td> </tr> <tr> <td>Personal and Group Emails</td> <td>Legal Obligation / Consent</td> <td>1 Year</td> </tr> <tr> <td>Nomination Papers</td> <td>Legal Obligation</td> <td>1 Year</td> </tr> <tr> <td>Ballot Papers and CNL</td> <td>Legal Obligation</td> <td>1 Year</td> </tr> <tr> <td>Marked Registers / Postal / Proxy Lists</td> <td>Legal Obligation</td> <td>1 Year</td> </tr> <tr> <td>Election Expenses</td> <td>Legal Obligation</td> <td>2 Years</td> </tr> <tr> <td>Staff details</td> <td>Consent</td> <td>1 Year / until employment ends.</td> </tr> <tr> <td>Polling Station Booking Forms</td> <td>Consent</td> <td>Hard Copies - 1 Year Electronic - 5 Years</td> </tr> </tbody> </table>	Type of document	Lawful basis collected	Retained	Canvass Communication	Legal Obligation	July – February	Invitations To Register (ITR's)	1 Month	Requests for Evidence	Legal Obligation	Hard copies - 1 month Data - 1 year	Applications from Special Category Electors	Legal Obligation	1 Month	Applications from Anonymous Electors	Legal Obligation	1 - Year	Absent Vote Applications	Legal Obligation	3 Years	Personal Identifier Signature Refresh Applications	Legal Obligation	3 Years	Voter Authority Certificates (VACs)	Legal Obligation	1 Year	Requests for copies of the Electoral Register	Legal Obligation	2 Years	Personal and Group Emails	Legal Obligation / Consent	1 Year	Nomination Papers	Legal Obligation	1 Year	Ballot Papers and CNL	Legal Obligation	1 Year	Marked Registers / Postal / Proxy Lists	Legal Obligation	1 Year	Election Expenses	Legal Obligation	2 Years	Staff details	Consent	1 Year / until employment ends.	Polling Station Booking Forms	Consent	Hard Copies - 1 Year Electronic - 5 Years
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	Xpress Register / Management	Consent	In line with legislation
	Surveys / feedback forms	Consent	End of review
<p>The retention schedule is updated each year.</p> <p>The ERO &amp; 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 in our retention schedule.</p>			
<p><b>Candidates standing for election</b></p> <p>We are required by law (Principal Area Rules 2006) to retain candidate nomination papers for candidates standing in elections for no longer than 12 months after the election, following which the documents are securely destroyed.</p> <p>Home address forms provided by candidates standing in elections are retained for a period of 21 days after the election, following which they are securely disposed of. However, if an election petition relating to the election is presented within the 21 calendar days, the home address forms must be kept securely until the conclusion of the petition proceedings (including any appeal from such proceedings). They must then be securely destroyed on the next working day following the conclusion of the proceedings or appeal.</p> <p>We are required by law to retain candidate election expenses documents for a period of no more than 2 years from the date on which the expenses are received. At the end of the two year period, the respective candidate can request the return of the expenses documents. Otherwise the expenses documents will be securely disposed of.</p>			
<p><b>What is our legal basis for using your personal information?</b></p> <p>To use your personal information there must be a lawful basis to do this, such as, through a contract, performing a public task or where there is a legal obligation.</p> <p>We collect, use and otherwise process this personal information on the basis of our legal obligations (Article 6(1)(c) of the General Data Protection Regulation ("GDPR")) and/or its public task functions (Article 6(1)(e) of the GDPR).</p> <p>In the case of the collection, use or other processing of special category personal data, the additional basis relied upon for processing such information is that it is necessary for reasons of substantial public interest (Article 9(2)(g) of the GDPR).</p> <p>The ERO/RO has specific statutory powers to collect retain and process personal data from individuals and inspection of other council records is mostly governed by legislation (including):</p> <ul style="list-style-type: none"> <li>▪ Representation of the People Act 1983</li> <li>▪ Representation of the People Act 1985</li> <li>▪ Representation of the People Act 2000</li> </ul>			

	<ul style="list-style-type: none"> <li>▪ Representation of the People Regulations 2001</li> <li>▪ The Electoral Registration and Administration Act 2013</li> <li>▪ Electoral Administration Act 2006</li> <li>▪ The Local Government Act 1972</li> <li>▪ Political Parties, Elections and Referendums Act 2000</li> <li>▪ European Parliamentary Elections Act 2002</li> <li>▪ Local Government Act 2003</li> <li>▪ Representation of the People (England and Wales) Regulations 2001</li> <li>▪ Representation of the People (Combination of Polls) (England and Wales) Regulations 2004</li> <li>▪ Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006</li> <li>▪ Local Elections (Principal Areas) (England and Wales) Rules 2006</li> <li>▪ Local Authorities (Referendums) (Petitions) (England) Regulations 2011</li> <li>▪ Local Authorities (Conduct of Referendums) (England) Regulations 2012</li> <li>▪ Local Authorities (Conduct of Referendums) (Council Tax Increases (England) Regulations 2012</li> <li>▪ Neighbourhood Planning (Referendums) Regulations 2012</li> <li>▪ Representation of the People (Provision of Information Regarding Proxies) Regulations 2013</li> </ul> <p>The law makes it compulsory to provide information to an ERO when requested. This is for the compilation and maintenance of an accurate electoral register. Records are kept for:</p> <ul style="list-style-type: none"> <li>▪ potential electors who need to register to vote</li> <li>▪ non-eligible citizens so we can stop inviting them to register</li> <li>▪ electors who have registered to vote.</li> </ul> <p>Returning Officers have statutory duties to collect and retain information from:</p> <ul style="list-style-type: none"> <li>▪ candidates and their agents</li> <li>▪ staff employed at an election</li> <li>▪ voters.</li> </ul> <p>This information may be kept in either digital format (i.e. data within a software system or as scanned copies of documents) or hard copy printed format or both.</p>
How do we keep your personal information secure?	Information provided to Electoral Services is held securely on our network or in secure premises, if provided in paper format. Other than those individuals and organisations that we are required to share your information with (listed at 6 above) only officers working within, or authorised by, Electoral Services have access to the information database.
Is your	Individuals and organisations that we are required to share your information with may

personal information used overseas?	process your information overseas, but they still have to look after the data contained in the register in the same way that we do. The open register may be bought by an overseas organisation or individual and can be used for marketing purposes.
How can I access the information you hold about me, find out further on privacy rights, or raise concern?	Contact the Data Protection Officer at -  The Data Protection Officer, Fylde Borough Council, Town Hall, Lytham St Annes, FY8 1LW  Tel: 01253 658658  Email: <a href="mailto:dpo@fylde.gov.uk">dpo@fylde.gov.uk</a>
What rights do I have about my data?	You have the right to request access to information about you that we hold. To make a request for your personal information, contact our Data Protection Officer, whose details are above.  You also have the right to: <ul style="list-style-type: none"> <li>• object to processing of personal data that is likely to cause, or is causing, damage or distress</li> <li>• prevent processing for the purpose of direct marketing</li> <li>• object to decisions being taken by automated means</li> <li>• in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and</li> <li>• claim compensation for damages caused by a breach of the Data Protection regulations</li> </ul> If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <a href="https://ico.org.uk/concerns/">https://ico.org.uk/concerns/</a>