

Privacy Notice

This document describes how and why we collect, store, protect, process and share the data you give to us.

We collect personal data to enable us to compile the Electoral Register process electoral nominations and otherwise run elections.

Date of Issue: 23 March 2019

Update History:

21 May 2018	First issue of a new Privacy Notice
Version 2	Electoral Nominations guidance added

Directorate: Resources
Service: Strategic Support
Team: Elections and Land Charges

About the Organisation

The Electoral Registration Officer is the Data Controller. This means it is ultimately responsible for the data it holds about you.

Contact Address:

West Berkshire Council
Market Street
Newbury
Berkshire
RG14 5LD

ICO Registration Number: **Z6786632**

The Data Protection Officer

The Data Protection Officer for West Berkshire Council is:

James Gore AMBCS BA

Contact details can be found here: <http://info.westberks.gov.uk/dpofficer>

What data will we collect about you?

Electoral Registration

When we issue an electoral registration form, we collect:

- your name
- address
- email address (optional)
- telephone number (optional)

Sometimes we collect other information you may feel is sensitive to you.

This might be your nationality, date of birth, national insurance number or the reason you might require a postal or proxy vote.

We may require further evidence from you such as copies of your passport, marriage certificate or driving licence.

Nomination papers

When we issue a nomination form (for nominating someone to stand as a candidate), the document prompts the electoral agent (or candidate) to ask for a range of information from the person nominated, the person/s proposing and the person/s seconding.

This will usually take the form of:

- names
- addresses (of nominees, proposers, seconders, assentees and witnesses)
- polling district
- elector number
- signature/consent

What will we use your data for?

Electoral Registration

We use this data to ensure you are eligible to vote in elections and ensure you are registered correctly. To do so we need information that identifies you, and connects you to an address in West Berkshire.

Date of birth and National Insurance Number are used to verify your identity against the Individual Electoral Registration digital service (see below).

We collect your nationality to work out which elections you are eligible to vote in in the UK.

Electoral Nomination Papers

The Council uses the data collected on nomination papers solely to make sure nominations for electoral candidates (in local, parliamentary and European elections) are valid and that the elections are therefore being held fairly.

Electoral agents/candidates have certain duties under the law to explain how they will use the information they capture from nominees, proposers, seconders and assentees at the point they collect the data. Agents/candidates then pass the data they have collected to the council for processing; the council makes a reasonable assumption that details have not been falsified or obtained without permission and that agents have observed the law in compiling the nomination papers.

Who will see your data?

Electoral Register

We are required to provide copies of the full electoral register to certain organisations and individuals by law. They may use it for their own reasons that are different to ours, but they still have to look after it in the same way.

Our software providers (The ERS Group Ltd) will also store your information, but only on our instructions. They won't use it for any other reasons, and they have to look after it in the same way we would. You can view their privacy information online at

<https://www.xssl.uk/privacy-policy>

To verify your identity, the data you provide will be processed by the Individual 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 by visiting

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

If you have opted to be included in the open register, by law your information can be shared with anyone who requests it. They may use it for their own reasons that are different to ours, but they still have to look after it in the same way. The electoral register can also be viewed, but not copied, by anyone who requests it upon appointment at the Council Offices.

Nomination Papers

Nomination papers are only seen by Electoral Services staff to ensure that nominees are entitled to stand. They are, however, available to inspect by anyone who wishes to make an appointment to do so as public documents. Someone who makes an appointment is only allowed to inspect the papers under supervision and make notes manually (i.e. they are not allowed to photocopy or photograph the papers).

Nominees have the right for their home address not to be published on the council's website by indicating this on the form.

What do we do with your data?

We use the data we collect to conduct elections, register individuals to vote and make sure the process is carried out fairly and legally. We won't use it for any other purposes without your consent, or without telling you first.

Sometimes we have to give it to other authorities, organisations or people. This would be for the prevention or detection of crime, or because of legal matters, for example. We don't need your consent to do this, but we would try to let you know if this happens.

Why are we doing this?

We are legally processing your data under the requirements of the Representation of the People Act 1983 and the Representation of the People Regulations 2001. As such, there is no legal right to refuse processing as we are legitimately required to do so by UK law.

Nomination papers are processed in line with the requirements of The Local Elections (Principal Areas) (England and Wales) Rules 2006 (as amended).

No one can be forced to stand as a nominee or forced to propose, second or assent to their standing. These elements are all by common consent, but the processing that the council undertakes is according to its legal duty once the information is received.

There's more on your rights below (see "Your Rights").

How long will your data will be kept?

Your data will not be kept any longer than necessary. You can check how long the organisation will keep each type of data against West Berkshire Council's retention schedule (www.westberks.gov.uk/retention).

Nomination papers are kept for one year after the election has ended, assuming no pending legal action is underway. Papers are securely destroyed at the end of this time period.

How is your data stored and processed?

Your data will be held on the Council's electronic database, provided by XSSL, and will be protected using up-to-date technical and organisational security measures.

Transfer overseas

Your data will not be stored or sent outside of the UK.

Your rights

You have a number of rights when it comes to the data we hold about you. These are detailed on our request form (www.westberks.gov.uk/dprequest) that also allows you to make a request for us to take action about something.

Complaints

If you've already told us we need to do something, but we haven't responded in a way you're satisfied with, you can complain to the Information Commissioner's Office (the ICO). It's easiest to do this online via the ICO website (<https://ico.org.uk/concerns/handling/>), but you can also do so in writing to:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

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