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The registration of electors and the conduct of elections is governed by the Representation of the People Act 1983 as amended. Under Section 8 of the Act, local Councils must appoint an Electoral Registration Officer / Returning Officer, the appointments are separate to any other appointment by the Council and the duties are personal to that post. The Electoral Registration Officer does not carry out the duties on behalf of the local authority but in his own personal capacity.

The Electoral Registration Officer / Returning Officer and staff carrying out duties on behalf of these are referred to as Electoral Services in this Privacy Notice.

<b>Service / Work Area:</b>	Electoral Services
<b>Contact Details:</b>	David Beecham - Electoral Services Manager Tel: 01443 864405 Email: <a href="mailto:electoralservices@caerphilly.gov.uk">electoralservices@caerphilly.gov.uk</a>
<b>Privacy Notice Name:</b>	Electoral Services
<b>Description of Privacy Notice:</b>	This Privacy Notice will explain how Electoral Services will use your information including who your information will be shared with.

## How we will use your information

### Source and type of information being processed

The majority of personal data held/used by Electoral Services would have been obtained directly from the individual. However Electoral Services are allowed to access Council records in order to help maintain the register of electors (Section 9A of the Representation of the People Act 1983).

Below we will explain what categories of information may be obtained and the specific source of that information.

#### Categories / Source of personal data obtained

The information detailed below would be obtained from Caerphilly Borough Council.

- Property Address Details – source of information would include property gazetteer
- Name and Address of Electors – source of information would include Council Tax

## Your Obligations

### You have an obligation to provide the following information

There is a statutory obligation for you to provide the information requested on the annual canvass of properties which is detailed below:

Section 9 of the Representation of the People Act 1983 requires Electoral Services to maintain a register of electors whilst Section 10 requires Electoral Services to carry out an annual canvass of properties.

### **Consequences of not providing the information requested**

Regulation 23 of the Representation of the People Regulations makes it an offence not to comply with a request for information from Electoral Services – maximum £1,000 fine or £5,000 or six month imprisonment if false information provided.

## **Purpose and legal basis for using your information**

### **Purpose of processing**

Your name and address will form part of the electoral register and your date of birth will be held (not on the register) to ensure you are over 18 for voting purposes and under 76 for exemption from Jury service. Additionally your nationality is held to enable Electoral Services to allow you to vote at the elections you are entitled to.

National Insurance numbers are required by Electoral Services in order to carry out an identity check with Department of Works and Pension (DWP). These are not retained following your registration.

If you are an absent voter (postal or proxy) Electoral Services must also keep a copy of your signature and date of birth in order to check these identifiers against your postal vote.

Electoral Services will also process information from election candidates and their agents.

Electoral Services will give you the option to provide an email address or telephone number. This will only be used if you need to be contacted about your registration – it will never be shared. You may ask for these to be removed from our records at any time.

Electoral Services will process your data in order to publish both a full and open access electoral register and in order to manage elections.

You may opt out of the open access register at any time. This register can be bought by any person and used for any purpose (e.g. by charities and businesses for marketing). The full register is only available for inspection (people may make hand written notes from it) at the Electoral Services office and what that information can be used for is limited by law.

For an explanation of the full and edited registers see appendix 1.

### **Legal basis for processing**

There is a statutory obligation to process your information detailed below:

Section 9 of the Representation of the People Act 1983 requires Electoral Services to maintain a register of electors and Regulation 93 of the Representation of the People Regulations requires the publication of a second 'open access' register. Regulation 26 of the Regulations allows Electoral Services to process National Insurance numbers and dates of birth.

The Representation of the People Act (Section 23) requires Electoral Services to administer parliamentary elections.

In order for the processing of personal data to be lawful under the General Data Protection Regulations 2016, a valid condition from Article 6 of the Regulations must be identified, which is outlined below:

1c. processing is necessary for compliance with a legal obligation to which the controller is subject;

## **Who will have access to your information**

### **Identity of Data Controller**

The Data Controller for your information is the Electoral Registration Officer and Returning Officer for Caerphilly County Borough Council. Please contact:

David Beecham  
Electoral Services Manager  
Tel: 01443 864405  
Email: [electoralservices@caerphilly.gov.uk](mailto:electoralservices@caerphilly.gov.uk)

Other Data Controllers may also be responsible for your information, depending on the specific circumstances. Please contact the Service Area for further information.

### **Details of main users of your information**

The main user of your information will be Electoral Services

### **Details of any sharing of your information within others**

The following have a statutory right to be provided with a copy of the register:-

- Caerphilly County Borough Council and community / town councils are entitled to receive a copy of the electoral register (Reg 107 of Representation of the People Regulations 2001).
- Local Authority Councillors, Members of Parliament and Members of the National Assembly for Wales are entitled to the register for their electoral division, constituency or region (Reg 103 of Representation of the People Regulations 2001).
- Candidates at elections are entitled to a copy of the register for the seat they are contesting (Reg 108 of Representation of the People Regulations 2001).
- Local political constituency offices are entitled to receive a copy of the register covering their constituency (Reg 105 of Representation of the People Regulations 2001).
- A registered political party or recognised third party (and permitted participants at referenda) are entitled to receive a copy of the full register (Reg 109 of Representation of the People Regulations 2001). (As registered with the Electoral Commission)
- The Police are entitled to receive a copy of the full register (Reg 109 of Representation of the People Regulations 2001).
- The National Library for Wales is entitled to receive a copy of the full register (Reg 97 of Representation of the People Regulations 2001).

- The Electoral Commission is entitled to receive a copy of the full register (Reg 100 of Representation of the People Regulations 2001).
- The Boundary Commission is entitled to receive a copy of the full register (Reg 101 of Representation of the People Regulations 2001).
- The Returning Officer for the Merthyr and Rhymney constituency is entitled to receive a copy of the register for their area (Reg 98 of Representation of the People Regulations 2001).
- Credit Reference Agencies are entitled to receive a copy of the full register for the purpose of performing credit checks on payment of the statutory fee. (Regs 113 & 114 of Representation of the People Regulations 2001).
- Government departments may also purchase the full register (Regs 113 & 114 of Representation of the People Regulations 2001).
- The Courts Service are entitled to receive the register in order to summon residents for Jury service (Juries Act)
- The edited register must be sold to any person who requests a copy (Reg 110 of Representation of the People Regulations 2001).
- Mid Glamorgan and Gwent archives receive copies of each annual register covering their areas. (Reg 109A of Representation of the People Regulations 2001)

Electoral Services also share information with the following for the stated reasons:

- Access requests for Crime prevention – Personal information may be provided if Electoral Services are satisfied that the rules for the purposes of the prevention and detection of crime, or the apprehension or prosecution of offenders have been met.
- Electoral Services will share your name, address, date of birth, National Insurance number, nationality and previous address with the Cabinet Office and DWP for the purpose of carrying out identity checks for new registration applicants. A data sharing agreement is in place to protect personal data.
- Electoral Services will share the electoral register with the Cabinet Office as part of the National Fraud Initiative (Part 6 of the Local Audit and Accountability Act 2014).

### **Details of any external data processors**

Electoral Services will provide your name, address and elector number with print suppliers in order to produce poll cards and postal vote stationery. Electoral Services also provide your name, address, nationality and indicate if you are 76+ with print suppliers in order to produce annual canvass forms.

In respect of the above, a contract / data processing agreement is in place in order to protect the personal information being processed.

## How long will we retain your information

### Details of retention period

How long Electoral Services retains information is determined through statutory requirements or best practice.

Electoral Registers – 15 years in order to check entitlement to register of overseas electors.

Absent Vote identifiers – 5 years then 'refreshed' or deleted and right to vote by post / proxy removed.

Registration Forms and evidence as to age, nationality (including HEFs and ITRs) for the lifetime of that register (1Year)

Election documents are stored securely for 1 year.

Candidate's home address forms at a Parliamentary election are destroyed on the 21<sup>st</sup> day after the member has been returned.

Candidate's election expenses are kept securely for two years (except European and town/community candidate expenses that are stored for 1 year)

## Your Rights (Inc Complaints Procedure)

### Your rights under the Data Protection

Data Protection gives data subjects (those who the information is about) a number of rights:

- The right of subject access – Application forms for this process are available on our website: [SAR Form](#)
- The right to be informed
- The right of rectification
- The right to erasure
- The right to restrict processing
- The right to object
- The right to data portability
- Rights in relation to automated decision making and profiling.

Further information on your rights is available from: [www.ico.org.uk](http://www.ico.org.uk).

To enact your rights please contact the service area detailed on the top of this form.

### Complaints Procedure

If you are unhappy with the way that Electoral Services has handled your request / information, you have the right of complaint. Please contact the Electoral Services as detailed at the top of this document outlining your issues.

If you remain unhappy you also have a right of complaint to the Information Commissioner's Office which is detailed below:

Information Commissioner's Office 2nd floor, Churchill House Churchill way Cardiff CF10 2HH	Tel: 029 2067 8400  Fax: 0292 067 8399  Email: <a href="mailto:wales@ico.org.uk">wales@ico.org.uk</a>
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## Appendix 1

### 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 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 (e.g. fraud)
- calling people for jury service
- checking credit applications.

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.