

Privacy Notice (How we use your information)

Electoral Services

Electoral Services is the department of Kirklees Council which carries out the work of the Electoral Registration Officer (ERO) who is responsible for publishing and maintaining the Register of Electors and the Returning Officer (RO) who is responsible for the administration of elections and referendums in the Kirklees voting area.

The ERO and RO are both legally appointed and are data controllers who have to collect and use information about residents to carry out specific functions for which they are responsible by law.

To fulfil the responsibilities of the ERO and RO, Electoral Services keep records about potential and actual electors, voters, citizens, candidates and their agents, contact details for polling stations and count centres, staff employed at an election by the RO, staff employed during the annual household canvass by the ERO and the people we have to pay. The records may be held on paper or held electronically - in either case they will be stored securely.

The categories of information that we collect, process, hold and share include:

- Your name, address, email address and telephone number. Sometimes we may 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 a copy of your passport, marriage certificate or driving licence.

Why we collect and hold this information

The ERO and RO use this personal data in order to:

- Support your application to register to vote. By law the ERO has to check and update the information on the electoral register to ensure it is accurate every year.
- Allow you to vote in elections and to allow the RO to prepare for and conduct elections and referendums. We are required by law to provide an electoral service. In order for us to do this, you must provide your personal information to us.
- To check the validity of a candidate's nomination paper
- For purposes of employing staff (for both electoral registration and elections)

The lawful basis on which we use this information

The ERO and RO collect and process information under Article 6(1)(c) - compliance with a legal obligation to which the data controller is subject. The legal obligations are outlined under the following non-exhaustive list of legislation:

- Representation of the People Act 1983
- Representation of the People Act 1985
- Representation of the People Act 2000
- Representation of the People (England and Wales) Regulations 2001
- Electoral Administration Act 2006
- The Electoral Registration and Administration Act 2013

In specific regard to staff employed for both electoral registration and elections, the ERO and RO collect and process information under Article 6(1)(b) – performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract. In this case, contract means an employment contract.

Storing this information

The ERO and RO need to process and store your personal data in order to prepare and maintain the register of electors and to prepare for and conduct elections and referendums. Your details will be kept and updated in accordance with the legal obligations placed on the ERO and the RO and in line with statutory retention periods. We will hold the information about you securely, and for no longer than reasonably necessary, but as long as it is required, for example in support of any application which you make. Once we no longer need to actively use it, we will keep it for a set period (a retention period) but not use it. When the retention period expires we will review the information for transfer to the West Yorkshire Archive Service and either transfer it to them or delete your information from our records.

Who we share this information with

All information we receive and retain is gathered and stored for the purposes of meeting the obligations and performing the legal duties of the ERO and RO.

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 lawful reasons that are different from ours, but they still have to look after it in the same way.

We have a legal obligation to sell the electoral register to credit reference agencies for the purposes of checking credit applications.

We are also required to provide copies of the electoral register to candidates and political parties registered with the Electoral Commission at an election if requested, as well as lists of postal and proxy voters. By law we are required to provide on request to statutory recipients marked copies of the electoral register and marked lists of absent voters which show whether you have voted (but not how you have voted) at an election or referendum.

The Department for Work and Pensions will also use your information to verify your eligibility for the electoral register. They won't use it for any other reasons and they have to look after it in the same way. You can view their privacy information here.

<https://www.gov.uk/government/organisations/department-for-work-pensions/about/personal-information-charter>

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 from ours, but they still have to look after it in the same way. The electoral register can also be viewed, but not copied, at certain libraries, information centres and town halls in Kirklees by anyone who requests it. You can opt to have your details removed from the open register at any time. Removing your details from the open register does not affect your right to vote.

To verify your identity, the data you provide when you apply to register to vote 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 for 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>

Our software providers 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.

Our printing company will also use 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.

West Yorkshire Archive Service will retain bound copies of the electoral register for historical archive purposes.

Why we share this information

We share information on a statutory basis, under the Representation of the People (England and Wales) Regulations 2001 (as amended). Any person or organisation who is entitled to the information may only use it for specific purposes in accordance with the law.

Sometimes we have to give it to other authorities, organisations or people. This would be for the prevention and detection of crime, or because of legal matters.

We do not share personal information about you with anyone else without consent unless the law and our policies allow us to do so.

Further information

If you would like further information about how we manage your data, please see the privacy notice for Kirklees Council at <http://www.kirklees.gov.uk/privacy>

If you would like further information about this privacy notice, please contact: **Electoral Services electoral.registration@kirklees.gov.uk tel: 01484 221650**

If you have any worries or questions about how your personal data is handled, please contact the Data Protection Officer at DPO@kirklees.gov.uk or by ringing 01484 221000.