

Electoral Services - privacy notice

South Derbyshire District Council is registered as a data controller with the Information Commissioner's Office.

Our address is Civic Offices, Civic Way, Swadlincote, Derbyshire, DE11 0AH.

The Council is committed to protecting your privacy when you use our services. This privacy notice tells you what to expect when Electoral Services collects personal information. It also explains when and why we collect this information, how we use it, the conditions under which we may disclose it to others, how we keep it secure and what rights you have in relation to the data we hold about you.

How do we collect information from you?

We collect information from you when you fill in any forms on our website [Home | South Derbyshire District Council](#) or associated customer portals, when you contact us in writing, speak to us on the phone or face to face or communicate with us by email or any other type of electronic communication.

What types of information do we collect from you?

We collect different categories of information about you, depending on the service you want from us and/or the reason why we need to process information relating to you. This could be personal information (for example your name and address), or other more sensitive data. We only collect and use more sensitive data in very particular circumstances that are set out in law.

The information we collect will depend on the service you want from us and/or the reason why we need to request and process information relating to you.

Details of information obtained from third parties?

To verify the identity of potential electors we are required by law to share new registration applications with the IER Digital Service. This is an automated service run by the Government which compares details on applications with data held by Government departments.

What is the lawful basis?

The legal basis for data processing we are relying on comes from Article 6 of the UK General Data Protection Regulations (UK GDPR). The following sections apply:

- Article 6 (1) (c) Legal Obligation - processing is necessary for compliance with a legal obligation to which the controller is subject
- Article 6 (1) (e) Public task - the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.

We rely on the following conditions as per Article 9 (2) of the UK GDPR:

- (a) the data subject has given explicit consent to the processing of those personal data for one or more specified purposes.
- (g) processing is necessary for reasons of substantial public interest, on the basis of domestic law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.
- (f) processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity.

We also rely on the following:

- Article 10 of the UK GDPR provides that processing of personal data relating to criminal convictions and offences or related security measures based on Article 6 (1) shall be carried out only under the control of official authority or when the processing is authorised by domestic law providing for appropriate safeguards for the rights and freedoms of data subjects.

We process all information in accordance with our legal obligations and public tasks arising from the following provisions:

- Data Protection Act 2018 (as amended) and UK GDPR
- The Health Protection (Notification) Regulations 2010
- The Public Health (Control of Disease) Act 1984 and associated Regulations
- The Fraud Act 2006
- The Political Parties, Elections and Referendums Act 2000
- The Local Government Act 1972
- The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

- The Local Authorities and Police and Crime Panels (Coronavirus)(Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020
- The Representation of the People Act (1983)
- The Representation of the People Regulations (2001)
- The Localism Act 2011
- The Elections Act 2022
- The Voter Identification Regulations 2022
- The Representation of the People (Annual Canvass) (Amendment) Regulations 2019
- Representation of the People (Franchise Amendment and Eligibility Review) Regulations 2023

How is your information used?

We may use your information to:

- Process your application to register to vote including Overseas, Service or Anonymous registrations.
- Process your application for an absent (postal or proxy) vote.
- Process changes to your registration which, for example, may include opt in in or out of the Open Register, or changing your name or address Compile and update the Register of Electors for the purposes of voting and other legitimate reasons.
- Notify you of changes to our service.
- Send communications inviting you or occupants of your household to register to vote where you may be eligible, this is done in accordance with our legal obligations.
- Fulfil our legal obligations to maintain a complete and accurate register of electors.
- Manage employment, training and payroll for temporary election and canvassing staff.
- Process your application for a Voter Authority Certificate or Anonymous Elector Document.
- Provide you with a Voter Authority Certificate or an Anonymous Elector Document.
- Conduct conflict of interest checks for election staff.

Research and statistics

Anonymised and pseudonymised data may be used for research and statistical purposes. Any data collected may be used for research and statistical purposes that are relevant and compatible with the purpose that the data was collected for.

Who has access to your information?

We may share your information with the following third parties for the reasons detailed;

- Government Digital service, Government departments and their sub-processors, for:
 - verification of applications to register to vote
 - verification of applications for absent votes
 - applications for Voter Authority Certificates or Anonymous Elector Documents
 - contacting you regarding your registration to vote, or as part of our annual electoral canvass.
- Contracted print companies to print Registration Forms, Poll Cards, Postal Packs, and Voter Authority Certificates
- Civica UK Ltd and Civica Election Services Ltd who provide software and services to us to support our election and canvas campaigns.
- Registered political parties, elected representatives, candidates and agents and other permitted participants who can use the information for Electoral purposes only.
- Details of whether you have voted (but not how you have voted) to those who are entitled to it by law after an election.
- Credit Reference Agencies, the British Library, UK Statistics authority, The Electoral Commission and other statutory recipients of the Electoral Register
- Statutory agencies, such as the Police or the National Fraud Authority for the purposes of crime prevention. We may share your information with statutory agencies in line with our legal obligations and/or in completion of our public tasks.
- Those requesting to view the electoral register by appointment for a particular property or location in the city as per our requirements to make the register available for public inspection.
- Where you have opted out of the Open Register, we will not sell or rent your information to third parties. We will not share information contained in the Closed Register with third parties for marketing purposes.

What are your rights?

- **Access** – you can request copies of any of your personal information that is held by the Council.
- **Rectification** – you can ask us to correct any incorrect information.

- **Deletion** – you can ask us to delete your personal information. The Council can refuse to delete information if we have a lawful reason to keep this.
- **Portability** – you can ask us to transfer your personal data to different services or to you.
- **Right to object or restrict processing** – you have the right to object to how your data is being used and how it is going to be used in the future.
- **Right to prevent automatic decisions** – you have the right to challenge a decision that affects you that has been made automatically without human intervention, for example an online form with an instant decision.

How long will we keep your information for?

We keep and dispose of all records in line with our [record retention schedule](#)

We will only retain your information for as long as necessary for the original purposes of collection.

What security precautions are in place to protect the loss, misuse or alteration of your information?

Your personal data will be stored electronically or in hard copy files as appropriate. The Council uses a variety of different systems to process and store personal data. We are strongly committed to data security and will take reasonable and appropriate steps to protect your personal information from unauthorised access, loss, misuse, alteration or corruption. We have put in place physical, electronic, and managerial procedures to safeguard the information you provide to us. However, we cannot guarantee the security of any information you transmit to us. We recommend that you take every precaution to protect your personal information.

Keeping your data up to date

We want to ensure any information we hold is accurate. You can help us by promptly informing us of any changes to the information we hold about you.

Under 13

If you aged 13 or under, please get your parent/guardian's permission whenever you provide us with personal information.

Where can I get advice and more information?

We want to ensure any information we hold is accurate. You can help us by promptly informing us of any changes to information we hold about you. If you have any worries or questions about how your personal information is handled, please contact our Data Protection Officer by emailing dataprotection@southderbyshire.gov.uk or by telephoning 01283 595795.

For independent advice about data protection, privacy and data sharing issues, you can contact the Information Commissioner's Office (ICO) at:

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

Telephone: 0303 123 1113 (local rate) or 01625 545 745 (national rate number).

Email: casework@ico.org.uk.

Further guidance on the use of personal information can be found at www.ico.org.uk.