

Privacy Notice for Elections Service

**DATE: Reviewed Nov 2021
V1.0**



Elections Service

Our core data protection obligations and commitments are set out in the council's **primary** privacy notice at www.bolton.gov.uk

This notice provides additional privacy information for:

- People accessing the Elections Service
- Partners working with Bolton Council

It describes how we collect, use and share personal information about you

- In relation to the Elections Service
- the types of personal information we need to process, including information the law describes as 'special' because of its sensitivity

It is important that you read this notice, together with any other privacy information we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

The information collected and held will vary dependent on the service used.

Purposes

We collect your personal information for the following purposes:

To:-

- administer elections and referendums
- publish the electoral register

Categories of personal data

In order to carry out these purposes we collect and obtain the following types of personal data:

- Name (required)
- Current address (required)
- Previous address (required)
- Nationality (required)
- Date of Birth (required)
- National Insurance numbers (required)
- Signature Samples (required) (Postal voters only)
- Phone number (optional)
- E-mail address (optional)

Legal basis for processing

The legal basis for processing your personal information is drawn largely from:

- Local Government Act 1972;
- Representation of the People Act 1983;
- Representation of the People Act 1985;
- Representation of the People Act 2000;
- Political Parties, Elections and Referendums Act 2000;
- European Parliamentary Elections Act 2002;
- Local Government Act 2003;
- Electoral Administration Act 2006;
- Electoral Registration and Administration Act 2013;
- Representation of the People (England and Wales) Regulations 2001;
- Representation of the People (Combination of Polls) (England and Wales) Regulations 2004;
- Business Improvement Districts (England) Regulations 2004;
- Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006;
- Local Elections (Principal Areas) (England and Wales) Rules 2006;
- Local Elections (Parishes and Communities) (England and Wales) Rules 2006;
- Local Authorities (Referendums) (Petitions) (England) Regulations 2011;
- Local Authorities (Conduct of Referendums) (England) Regulations 2012;
- Local Authorities (Conduct of Referendums) (Council Tax Increases) (England) Regulations 2012;
- Neighbourhood Planning (Referendums) Regulations 2012;
- Representation of the People (Provision of Information Regarding Proxies) Regulations 2013;
- Representation of the People (Annual Canvass) (Amendment) Regulations 2019

If you fail to provide certain information when requested, we may not be able to perform the service or we may be prevented from complying with our legal obligations.

Information sharing/recipients

We may share personal information about you.

We are required by law to provide copies of the full Electoral Register to certain organisations and individuals. 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.

- The Electoral Registration Officer is legally obliged to provide absent voter information to:

- Elected Representatives
 - Election Candidates
 - Constituency Political Parties
 - National Political Parties
- The Returning Officer is legally obliged to publish certain personal information (such as that relating to election candidates and election agents) in the form of public notices.
 - The Electoral Registration Officer makes the marked versions of the electoral register and the absent voting lists (i.e. the registers and lists that indicate who has voted at a particular election or referenda) available for inspection in certain circumstances. Copies may also be supplied, in certain circumstances, to:
 - The Electoral Commission
 - Elected Representatives
 - Constituency Political Parties
 - National Political Parties
 - Election Candidates
 - Polices forces and similar agencies
 - Government departments and other specified public bodies

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- The electoral register (names and addresses only – not other data) is shared with the following organisations if they request we supply it. The entitlement of these organisations to have the data is set down in statute, as is the fee they must pay if a fee is applicable. The “Open Register” is a version of the register which people can “opt out” of. Unless stated, the version of the register that is shared is the full register.
 - Political Parties
 - MPs
 - Councillors
 - Bolton MBC
 - Credit Reference agencies – fee payable (NB – opted out electors are indicated so that data cannot be sold on)
 - The Electoral Commission
 - The Boundary Commission
 - The Police
 - Other third parties (individuals or companies) fee payable and only the open register, not the full register

- We will not normally share your information with organisations other than our partner organisations; however, there may be certain circumstances where we would share without consent such as where we are required to do so by law, to safeguard public safety, and in risk of harm or emergency situations. Only the minimum information for the purpose will be shared.

Automated Decisions

In some circumstances we will make automated decisions:

The government website www.gov.uk/register-to-vote uses an algorithm to match the details of applicants registering to vote against DWP records. Once checked, the applications are downloaded into the Council's system.

Data retention/criteria

We will only keep your personal information for as long as the law specifies or where the law does not specify this, for the length of time determined by our business requirements.

Rights of individuals

You have certain rights in relation to the council's use of your personal information. To find out more about how these rights apply in particular circumstances, please refer to our Guide to exercising your rights or alternatively visit the Information Commissioner's web site at www.ico.org.uk

If you wish to exercise your rights or to raise a concern about the handling of your personal information by the council, please contact our Information Governance Team at information.security@bolton.gov.uk.

If you are still unsatisfied you should contact The Information Commissioner's Office by post at the ICO, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or by telephone: 0303 123 1113

Updates to Privacy Notice

We may update or revise this Privacy Notice at any time so please refer to the version published on our website for the most up to date details