

## Electoral Services Privacy Notice

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### Who is the Data Controller?

Electoral Services supports the statutory functions of:

- The Electoral Registration Officer who is responsible for compiling and maintaining the electoral register and for matters relating to voter registration
  - The Returning Officer who is responsible for administering elections and referendums
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### Why do we collect your information?

We process information to support the statutory functions and responsibilities of the Electoral Registration Officer and Returning Officer. This includes the compilation of the electoral register and the administration of elections and referendums. There is a legal requirement for collecting these categories of data including the following electoral legislation:

- Local Government Act 1972
  - Representation of the People Act 1983 (as amended)
  - Representation of the People Act 1985
  - Representation of the People Act 2000
  - Representation of the People (England and Wales) Regulations 2001 (as amended)
  - Local Elections (Principal Areas) (England and Wales) Rules 2006
  - Electoral Administration Act 2006
  - Neighbourhood Planning (Referendums) Regulations 2012
  - Electoral Registration and Administration Act 2013
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### What information do we collect?

We keep records about voters (including potential voters), election candidates and agents and staff employed at elections and referendums or voter registration canvassing activities.

We may collect and process the following information:

- Name, address, date of birth and nationality
- Unique identifiers such as your national insurance number or signature
- Contact details including phone number or email address
- Previous address, correspondence address or last UK address
- If you are aged 76 or over or 16/17 years of age
- Whether your name is included on the open version of the electoral register
- Name, address and contact details for an appointed proxy
- Details of a disability or health matter that may have been disclosed in connection with an application to vote by post or proxy
- Details of someone who has assisted a voter with an application
- The names of other occupants and potential electors in a household
- Scanned copies of application forms
- Information contained on documents provided to confirm identity
- Court documents and attestations to support anonymous registration applications
- Notes about any relevant circumstances provided by residents
- Human resources data
- Election documentation including the marked copy of the polling station register or postal voting list which shows whether a voter has voted
- Details included on the candidate's nomination forms which may include details of land or property owned or occupied by the candidate, the candidate's principal place of work, the name, address and contact details of appointed agents and the names, elector numbers and signatures of proposer, seconder and supporting subscribers

- Details included on election candidate expenses documentation which may include personal details including campaign donors
- Details about suppliers, contractors and others who provide services including contact information
- Details about permitted persons or organisations making requests for copies of the register
- Complaints, feedback and responses to consultations

We may use third party suppliers to collect information required in order to compile the electoral register. The current service provider is Electoral Reform Services Ltd and their privacy notice can be viewed via the following link: <https://www.electoralreform.co.uk/privacy/>

In accordance with Section 35 of the Representation of the People Regulations 2001, the Electoral Registration Officer is entitled to inspect other records held by Portsmouth City Council for the purposes of maintaining the electoral register. This includes Council Tax records.

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### **How we use your information**

The Electoral Registration Officer uses your information to:

- Compile, publish and maintain the electoral register
- process applications
- undertake an annual canvass of households
- identify potential voters and encourage voter registration
- maintain records of postal and proxy voters
- recruit and pay supporting staff

The Returning Officer uses your information to:

- administer the voting process including polling stations and postal voting
  - administer the nomination of election candidates and the appointment of agents
  - prepare statutory election documents and notices including poll cards
  - recruit and pay supporting staff
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### **How do we keep personal information secure?**

We will take appropriate steps to make sure that the personal information we hold (on paper and electronically) is kept securely and only used by people who have a right to see it. The Council's security measures include encrypting personal data and equipment, system access controls and training in data protection for all staff.

Where another company or organisation processes personal information on our behalf, they will only process your personal information in line with our instructions and are obliged to provide security assurances to the Council and to certain regulatory bodies.

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### **How long do we keep hold of personal information?**

Your information will be held and updated in accordance with our legal obligations and statutory retention periods.

Documentation relating to a particular election, for example, ballot papers, polling station documents and postal voting records, are held for one year. Candidate election expenses returns are held for two years.

In some cases, information may be retained if required as evidence for a police investigation or court case.

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### **Sharing or disclosing personal information**

To verify your identity when you register to vote, the data you provide 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 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 via the following link: <https://www.registertovote.service.gov.uk/register-tovote/privacy>

Information from the electoral register may also be shared for certain purposes including:

- Companies supplying services to us including contracted printers who produce poll cards, postal voting packs and voter registration forms, with our software suppliers and the GOV.UK Notify service
- Local and national political parties, elected representatives and election candidates
- Credit reference agencies
- Portsmouth City Council and the Council's library and archives service
- The British Library, the Jury Summoning Bureau, the Electoral Commission, the UK Statistics Authority and other statutory recipients of the electoral register
- Other organisations when the law requires us to disclose information including for the prevention and detection of crime

The electoral register is available for public inspection under supervision in Portsmouth Central Library.

Certain election documents may be supplied or inspected in accordance with Sections 117 and 118 of the Representation of the People (England and Wales) (Amendment) (No. 2) Regulations 2006 respectively.

The regulations which apply to the supply and use of the electoral register can be viewed via the following link: <http://www.legislation.gov.uk/ukxi/2002/1871/regulation/15/made>

The open version of the electoral register is available for general sale. Further information on the two versions of the electoral register can be viewed via the following link:

<http://www.legislation.gov.uk/en/ukxi/2013/3198/schedule/3/chapter/2/made>

The Returning Officer may use the GOV.UK Notify service to contact election candidates, agents or staff in connection with an election.

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### **Access to personal information**

Individuals can find out if we hold any personal information by making a 'subject access request'. If we do hold information about you we will:

- give you a description of it;
- tell you why we are holding it;
- tell you who it could be disclosed to; and
- let you have a copy of the information in an intelligible form.

To make a request to the City Council for any personal information we may hold you need to put the request in writing addressing it to:

Data Protection Officer  
Portsmouth City Council  
Civic Offices  
Portsmouth  
PO1 2AL

A request form is available to print and complete: [Data subject access - request form](#)

Please bring your completed request form to ground floor reception at the Civic Offices, along with:

- a form of identification (passport or driving licence)
- a recent bank statement or utility bill

The following may also be helpful:

- any former names
- former addresses

- any reference numbers given to you by Council services

If you cannot come to the Civic Offices, have difficulty making a written request, or don't have any form of identification please use the contact details below to discuss your request with us.

If we do hold information about you, you can ask us to correct any mistakes by, once again, contacting the Data Protection Officer.

Please be aware that we would not let you see any parts of your record which contain:

- Confidential information about other people; or
- Information that a professional thinks will cause serious harm to you or someone else's physical or mental wellbeing; or
- If we think that a crime may be prevented or found out by disclosing information to you.

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### **Complaints or queries**

We take any complaints we receive very seriously. Please bring it to our attention if you think that our collection or use of information is unfair, misleading or inappropriate.

You should let us know if you disagree with something written in your record. We may not always be able to change or remove the information. However, we will correct factual inaccuracies and may include your comments in the record.

We are happy to provide any additional information or explanation about how the City Council collects and uses personal information.

Any complaints, queries or requests should be sent to the Council's Data Protection Officer.

Email: [foi@portsmouthcc.gov.uk](mailto:foi@portsmouthcc.gov.uk)

Telephone: 023 9268 8482

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

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

Tel: 0303 123 1113 (local rate) or 01625 545 745 (if you prefer to use a national rate number).

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### **Changes to this privacy notice**

This privacy notice was last updated on 21 January 2019.

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### **How to contact us**

You can contact Electoral Services:

Tel: 023 9283 4074

Email: [elections@portsmouthcc.gov.uk](mailto:elections@portsmouthcc.gov.uk)

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