

## London Borough of Barnet - Electoral Services

### Privacy Notice

#### **What is the purpose for collecting your data?**

Electoral Services are responsible for producing the Register of Electors (commonly known as the 'electoral register'). This is a list of all people who are eligible to vote in statutory elections in the London Borough of Barnet. The law requires us to share the electoral register with various agencies and parties. Electoral Services are also responsible for managing elections in the borough. This involves using the electoral register to enable people to vote, and to enable parties and candidates to participate. We collect personal data from our residents to enable us to compile and maintain the electoral register and carry out the functions outlined above. All Electoral Services functions are performed in the public interest.

By law, the Council must appoint an Electoral Registration Officer (ERO) and a Returning Officer (RO) who have legal powers and a statutory duty to collect this data.

#### **Who are the people collecting your data?**

The Chief Executive of the London Borough of Barnet is the Electoral Registration Officer and the Returning Officer and is the data controller registered with the Information Commissioner's Office (ICO) with regard to all Electoral Services data.

#### **The Laws that govern the collection and use of this data**

The following is a list of all primary and secondary legislation relevant to the collection, processing and retention of personal data:

- Local Government Act 1972
- Representation of the People Act 1983
- Electoral Administration Act 2006
- Electoral Administration Act 2013
- Representation of the People (England and Wales) Regulations 2001
- Representation of the People (England and Wales) (Amendment) Regulations 2002 and 2006
- Representation of the People (England and Wales) (Amendment) (No 2) 2006
- European Parliamentary Elections (Registration of Citizens of Accession States) Regulations 2003
- European Parliamentary Elections Regulations 2004
- Police (Scotland) Regulations 2004
- European Parliamentary Elections (Amendment) Regulations 2009
- Local Elections (Principal Areas) Rules 2006
- Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007
- Greater London Authority Elections Rules 2007
- The Local Authorities (Mayoral Elections) (England and Wales) (Amendment) Regulations 2011
- The Local Elections (Principal Areas) (England and Wales) (Amendment) Rules 2011
- Greater London Authority Elections (Amendment) Rules 2012
- Neighbourhood Planning (Referendums) Regulations 2012

## **Purpose for collecting your name, address, date of birth, nationality and national insurance number**

We are legally required to collect this information so we can determine if you are eligible to vote and to record you as a legitimate voter. The national insurance number data is deleted as soon as practical once we finally determine whether your application is successful or not. We share this data with the government office which provides the Individual Electoral Registration Digital Service. They check the data against other government records to verify the identity of the individual supplying the information. The Privacy Notice for the government digital service can be found [here](#).

Where the government digital service is unable to verify an individual's identity, we will try to use other data to verify that person's identity. In these cases, we are likely to request sight of documentary evidence of your identity (e.g. a copy of a passport or driving licence). Where this data is sent to us, it is deleted as soon as practical once we determine whether your application is successful or not.

## **What other data do we collect?**

Where an elector applies for a postal or proxy vote we will need to collect some additional data (for example: a copy of a signature or personal details about the elector's proxy) to comply with electoral legislation and to prevent fraud. We also collect data on electoral registration and election staff so that we can employ them to conduct electoral duties.

Candidates and their Agents (often from registered political parties) are required to provide us with personal information when they wish to stand for election. Again, electoral law determines what data we must request and how long we must retain it.

## **Who do we share the data with?**

The information you provide is held in a secure software system and database which is used and maintained by Electoral Services Officers. The data received and maintained is used to produce two versions of the electoral register - the full electoral register and the open (edited) register.

The full register is published once a year and is updated every month and can only be supplied to the following people and organisations:

- British Library
- UK Statistics Authority
- Electoral Commission
- Boundary Commission for England
- Jury Summoning Bureau
- Elected Representatives (MP, MEPS, Local Councillors)
- Police and Crime Commissioner
- Candidates standing for elections
- Local and National Political Parties and Registered Campaigners
- The Council
- Parish and Community councils
- Police Forces and the National Crime Agency
- Public Library or local authority archive services
- Government departments or bodies
- Credit Reference Agencies
- National Fraud Initiative
- Electoral Registration and Returning Officers from other local authority and electoral areas.

We must also share (when necessary and for a limited period only) your information with our contracted software providers and printers for the purposes of carrying out our duties of electoral registration and elections.

It is a crime for anyone who has a copy of the full register to pass information from this register on to others, if they do not have a lawful reason.

### **The Full Register**

The Full Register contains data on all registered electors. Anyone can inspect the full electoral register under supervision. They can take extracts from the register, but only by hand written notes. Information taken must not be used for direct marketing purposes, in accordance with data protection legislation, unless it has been published in the open version of the register. Anyone who fails to observe these conditions is committing a criminal offence and may be charged a penalty of up to £5,000.

### **The Open Register**

The Open Register contains the same information as the full register, but is not used for elections or referendums. It is possible for any registered elector to opt-out of appearing on the Open Register. It is updated and published every month and can legally be purchased by any person, organisation or company and used for a wide range of purposes. It is used by businesses and charities for checking names and address details; users of the register include direct marketing firms and also online directory firms.

**You can choose whether or not to have your personal details included in the open version of the register;** however, they will be included unless you ask for them to be removed. Removing your details from the open register will not affect your right to vote.

### **How long do we hold your data?**

The Electoral Registration Officer and Returning Officer are legally obliged to process your personal data in relation to publishing the Register of Electors on statutory dates and when preparing for and conducting elections. Your details will be kept and updated in accordance with these legal obligations. Once electoral registers are published, they become documents of public record and are no longer able to be modified or amended.

### **Your Rights**

You are entitled to request a copy of any information about you that we hold. Any such requests must be made in writing. If the information we hold about you is inaccurate you have a right to have this corrected and you have the right to request completion of incomplete data.

You have the right to request the deletion of your personal data in certain circumstances ('right to be forgotten'). You have the right to request that we stop, or restrict the processing of your personal data, in certain circumstances. Where possible we will seek to comply with your request, but we may be required to hold or process information to comply with a legal requirement.

If you are dissatisfied with how the Electoral Registration Officer/Returning Officer have used your personal information you have a right to complain to the Information Commissioner's Office at [casework@ico.org.uk](mailto:casework@ico.org.uk)

### **The Collection and Provision of your Data is a Statutory Requirement**

The Electoral Registration Officer and Returning Officer are required to keep a record of your personal data in order to comply with the:

- Representation of the Peoples Act 1983
- Electoral Registration and Administration Act 2013
- Representation of the People Regulations 2001 and
- Electoral Registration (Disclosure of Electoral Registers) Regulations 2013.

### **Contact Us**

The Data Controller for the electoral register, the Electoral Registration Officer and the Returning Officer can all be contacted using the details below:

#### **Electoral Services**

London Borough of Barnet  
North London Business Park  
Oakleigh Road South  
London N11 1NP

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