

Fair Processing Statement – Electoral

What happens to information held about you? Your rights and our obligations to you:

How We Use Personal Data

This document explains how Electoral Services Department (ESD) under the Electoral Registration Officer and the Returning Officer, obtains, holds, uses and discloses information about people (their personal data), the steps we take to ensure that it is protected, and also describes the rights individuals have in regard to their personal data handled by the ESD.

The use and disclosure of personal data is governed by the Data Protection Act 2018 and the General Data Protection Regulation 2016. As such the ESD is obliged to ensure that it handles all personal data in accordance with the legislation.

The ESD takes that responsibility very seriously and takes great care to ensure that personal data is handled appropriately in order to secure and maintain individuals' trust and confidence in the Council.

1. Why do we handle personal data?

The ESD processes personal information for the purposes of: -

- maintaining an Electoral Register as required under Section 9 of the Representation of the People Act 1983, and specifically in relation to Applications to Register, under Regulation 26 of the Representation of the People Regulations 2001;
- administering an election in accordance with the Parliamentary Election Rules under Section 23 of the RPA 1983 including specifically the Nomination process under Section 9 of the Representation of the People Act 1983; and
- data matching under local and national fraud initiatives

2. What type/classes of personal data do we handle?

In order to carry out the purposes described under section 1 above the ESD may obtain, use and disclose personal data including the following: -

- basic details about you, for example, name, address, date of birth and nationality
- unique identifiers (such as your NI number),
- scanned application forms & dates of any letters of correspondence,
- notes about any relevant circumstances that you have told us
- your previous or any redirected address
- the other occupants in your home
- if you are over 76 or under 16/17
- whether you have chosen to opt out of the Open version of the Register

The ESD will only use appropriate personal data necessary to fulfil a particular purpose or purposes. Personal data could be information which is held on a computer or in a paper record.

3. Who information is processed about

In order to carry out the purposes described under section 1 above the ESD may obtain, use and disclose personal data about the following:

- residents of Bridgend County Borough
- residents of Rhondda Cynon Taff County Borough where they fall within the Ogmore Constituency Boundary for a Parliamentary Election.
- suppliers
- staff, persons contracted to provide a service
- professional advisors and consultants
- attainers - currently 17 year old, and
- representatives of other organisations

The ESD will only use appropriate personal data necessary to fulfil a particular purpose or purposes. Personal data could be information which is held on a computer or in a paper record.

4. Where do we obtain personal data from?

In order to carry out the purposes described under section 1 above the ESD may obtain personal data from a wide variety of sources, including the following:

- The Department for Work and Pensions who use data provided to verify the identity of new applicants
- The Cabinet Office will inform the previous local authority of people who have moved area
- Council Tax records to identify potential changes in home ownership;
- Care Homes to identify new residents
- Individuals themselves;
- Relatives, guardians or other persons associated with the individual;
- Employees and agents of BCBC;
- Suppliers, providers of goods or services;
- Persons making an enquiry or complaint;
- The media;
- Data Processors working on behalf of the ESD
- Information openly available on the internet;
- Other departments within the Council.

5. How do we handle personal data?

In order to achieve the purposes described under section 1, the ESD will handle personal data in accordance with data protection legislation. In particular we will ensure that personal data is handled fairly and lawfully with appropriate justification.

We will strive to ensure that any personal data used by us or on our behalf is of the highest quality in terms of accuracy, relevance, adequacy and non-excessiveness, is kept as up to date as required, is protected appropriately, and is reviewed, retained and securely destroyed when no longer required.

6. How do we ensure the security of personal data?

The ESD takes the security of all personal data under our control very seriously.

We will ensure that appropriate policy, training, technical and procedural measures are in place, including audit and integrity monitoring, to protect our manual and electronic information systems from data loss and misuse, and only permit access to them when there is a legitimate reason to do so, and then under strict guidelines as to what use may be made of any personal data contained within them.

These procedures are continuously managed and enhanced to ensure up-to-date security.

7. Who do we disclose personal data to?

We sometimes need to share information with the individuals we process information about, to other organisations. Where this is necessary we are required to comply with all aspects of the legislation. What follows is a description of the types of organisations we may need to share some of the personal information we process with for one or more reasons:

- To contracted printers to print your Poll cards, Postal Packs & other electoral material
- To our Software Supplier to manage electronic responses to the annual canvass
- To registered political parties, elected representatives, candidates, agents and other permitted participants who are able to use it for Electoral Purposes only
- Credit reference agencies, the British Library, UK Statistics Authority, the Electoral Commission and other statutory recipients of the Electoral Register
- Details of whether you have voted (but not how you have voted) to those who are entitled in law to receive it after an election
- where the health and safety of others is at risk,
- when the law requires us to pass on information under special circumstances,
- crime prevention or the detection of fraud as part of the National Fraud Initiative

It may sometimes be necessary for the Council to transfer personal information overseas. When this is needed information may be transferred to countries or territories around the world. Any transfers made will be in full compliance with all aspects of the legislation.

8. What are your rights in relation to your personal data which is handled by the ESD?

Individuals have various rights:

1. The right to be informed
2. The right of access
3. The right to rectification
4. The right to erasure
5. The right to restrict processing
6. The right to data portability
7. The right to object
8. Rights in relation to automated decision making and profiling

Right to be informed

You have the right to be informed about the collection and use of your personal data. The Council must provide you with information including: purposes for processing your personal data, retention periods for that data, and who it will be shared with. This is called 'privacy information'.

Right of access

You can obtain a copy, subject to exemptions, of your personal data held by the ESD. A copy of the application form is available from:

<https://www.bridgend.gov.uk/my-council/freedom-of-information/data-protection/>

You are also entitled to obtain confirmation as to whether or not data concerning you is being processed by the ESD. Where that is the case, you are entitled to the following information subject to exemptions:

- The purposes of and legal basis for the processing
- The categories of personal data concerned
- The recipients to whom the personal data has been disclosed
- The period for which it is envisaged that the personal data will be stored
- Communication of the personal data undergoing processing and of any available information as to its origin.

**Please note that 'processing' means an operation or set of operations performed on personal data such as collection, recording, organisation, structuring, storage, adaption, alteration, erasure, restriction, retrieval.*

Proof of ID and any further information needed to locate the information may be required before the ESD can comply with your request.

Any request for the above information should be made in writing to the Data

Protection Officer and the ESD will respond within one month.

Rectification of data

You can request the ESD to rectify inaccurate personal data relating to you. If the data is inaccurate because it is incomplete, the ESD must complete it if required to do so by you.

A request should be made in writing to the Data Protection Officer and a response will be sent within one month.

Erasure or restriction of personal data

You can request that the ESD erase your data or restrict any processing of your data, subject to exemptions.

All requests should be made to the Data Protection Officer. The ESD will then inform you of whether the request has been granted and if it has been refused, the reasons for the refusal.

Right not to be subject to automated decision-making

You have the right, subject to exemptions, not to be subject to a decision when it is based on automated processing and it produces a legal effect or a similarly significant effect on you. You have a right to express your point of view and obtain an explanation from the ESD of its decision and challenge it.

However, it should be noted that this right does not apply to all decisions as there are exemptions - for example authorisation by law, performance of a contract to which you are a party.

Right to data portability

The right to data portability allows you to obtain and reuse your personal data for your own purposes across different services.

The right only applies to information you have provided to the Council.

Right to object

You have the right to object to the processing of your personal data in certain circumstances.

The Council has one calendar month to respond to an objection.

9. How long does the ESD retain personal data?

The ESD keeps personal data as long as is necessary for the particular purpose or purposes for which it is held in accordance with the Council's [Data Retention Policy](#)

and electoral law.

10. Lawful basis on which we process your personal data

The Processing of your data is because:

- * the processing is necessary for contracts we have with individuals;
- * We have a legal obligation to do so;
- * it is necessary for the performance of a task carried out in the public interest.

11. Contact Us

Any individual with concerns over the way ESD handles their personal data may contact the Data Protection Officer at the Council as below:

Bridgend County Borough Council, Information Office,
Civic Offices, Angel Street, Bridgend, CF31 4WB.

E-mail foi@bridgend.gov.uk

Telephone 01656 643565

You can also raise any concerns with the Information Commissioner, who can be contacted at:

Information Commissioner's Office – Wales

2nd Floor, Churchill House

Churchill Way

Cardiff CF10 2HH

Telephone: 02920 678400 Fax: 02920 678399 Email: wales@ico.org.uk

Website: <https://ico.org.uk/>