

Service Area and contact details

Service Area:	Law & Regulation
Contact Details:	01633 656656
Privacy Notice Name:	Electoral Registration Service

Source and categories of information being processed

This section is only relevant if personal data has been obtained from a source other than yourself (the data subject).

Newport City Council has obtained the following categories of your personal data:

The Electoral Registration Officer is allowed to access council records in order to help maintain the register of electors (Section 9A of the Representation of the People Act 1983)

We have obtained your information from:

This information was shared with the Electoral Registration Officer by Newport City Council and includes the use of the property gazetteer for address details and Council tax records to confirm the names and addresses of electors.

Purpose and legal basis for using your information

Here, we will explain the reason why we have collected your personal data and the reasons for processing.

Our legal basis for processing your information:

We have a statutory obligation to process your personal data

Further details about our legal basis for using your information and the purpose of processing:

There is a statutory requirement to process to your information, as detailed below:

Section 9 of the Representation of the People Act 1983 requires the Electoral Registration Officer to maintain a register of electors and Regulation 93 of the Representation of the People Regulations requires the publication of a second 'open access' register. Regulation 26 of the Regulations allows the ERO to process National Insurance numbers and dates of birth.

The Representation of the People Act (Section 23) requires the Returning Officer to administer parliamentary elections.

Processing of your personal data is necessary in order to comply with the legal obligations of the ERO and RO. The lawful basis for the processing is the performance of a public task and in the public interest, as provided for by electoral law.

Purpose of processing;

The ERO will process your data in order to publish both a full and open access electoral register. The RO will use your data in order to manage elections.

You may opt out of the open access register at any time. This register can be bought by any person and used for any purpose (e.g. by charities and businesses for marketing). The full register is only available for inspection (people may make hand written notes from it) at my office and what that information can be used for is limited by law. For an explanation of the full and edited registers see appendix 1.

The right to withdraw consent

If we are relying on your consent to process your data, you have the right to withdraw your consent to this processing at any point. To do so, please contact the person named at the top of this privacy notice.

(Only relevant to consent based processing)

You must provide us with the information we need to deliver the service, if there is either:

- a) A contractual obligation to do so, or
- b) A statutory obligation to do so.

(Only relevant if the lawful basis for processing is the performance of a contract or Public duty/task obligation)

The consequences of not providing the information are as follows:

There is a statutory obligation for you to provide the information requested as detailed below:

Section 9 of the Representation of the People Act 1983 requires the Electoral Registration Officer to maintain a register of electors whilst Section 10 requires the ERO to carry out an annual canvass of properties.

Regulation 23 of the Representation of the People Regulations makes it an offence not to comply with a request for information from the ERO – maximum £1,000 fine or £5,000 or six month imprisonment if false information provided.

Special Category Data

(Only relevant if special category data is being processed)

Sometimes we process special category which is afforded more protection under the Data Protection Act. This is because special category data is deemed to be more sensitive. If we are processing your special category data then we need to establish a further lawful basis for processing, and we have highlighted this below:

Choose a further lawful basis.

Automatic decision making/profiling

(Only relevant if we are making an automated decision on a data subject)

Sometimes we use computers or technology to help us make decisions about the service we offer you. Below are the details of what decision making or profiling systems we have used, and how the decision was made:

n/a

Who will have access to your personal information?

Newport City Council is the data controller and the Data Protection Officer is:

Digital Services Manager

Email: information.management@newport.gov.uk

Tel: 01633 656656

Other data controllers may also be responsible for your information, depending on the specific circumstances. Please contact the service area for further information.

The main users of your personal information are:

Your information will be held by the ERO and used by his or her staff to manage electoral registration - it will be shared with the Returning Officer to run elections

We may share your information within Newport City Council:

Newport Council is entitled to receive a copy of the electoral register (Reg 107 of Representation of the People Regulations 2001).

Councillors are entitled to the register for their electoral division (Reg 103 of Representation of the People Regulations 2001).

We may share your information with other, external organisations:

The following have a statutory right to be provided with the register:-

MPs are entitled to the register for their constituency (Reg 103 of Representation of the People Regulations 2001).

Members of the National Assembly for Wales are entitled to the register for their constituency or region (Reg 103 of Representation of the People Regulations 2001).

Candidates at elections are entitled to a copy of the register for the seat they are contesting (Reg 108 of Representation of the People Regulations 2001).

Local political constituency offices are entitled to receive a copy of the register covering their constituency (Reg 105 of Representation of the People Regulations 2001).

A community or town council is entitled to receive a copy of the register covering their area (Reg 107 of Representation of the People Regulations 2001).

A registered political party or recognised third party (and permitted participants at referenda) are entitled to receive a copy of the full register (Reg 109 of Representation of the People Regulations 2001).

The police are entitled to receive a copy of the full register (Reg 109 of Representation of the People Regulations 2001).

The National Library for Wales is entitled to receive a copy of the full register (Reg 97 of Representation of the People Regulations 2001).

The Electoral Commission is entitled to receive a copy of the full register (Reg 100 of Representation of the People Regulations 2001).

The Boundary Commission is entitled to receive a copy of the full register (Reg 101 of Representation of the People Regulations 2001).

Credit Reference Agencies are entitled to receive a copy of the full register for the purpose of performing credit checks on payment of the statutory fee. (Regs 113 & 114 of Representation of the People Regulations 2001).

Government departments may also purchase the full register (Regs 113 & 114 of Representation of the People Regulations 2001).

The Courts Service is entitled to receive the register in order to summon residents for Jury service (Juries Act)

The edited register must be sold to any person who requests a copy (Reg 110 of Representation of the People Regulations 2001).

Access requests for Crime prevention – Personal information may be provided if the ERO is satisfied that the rules for the purposes of the prevention and detection of crime, or the apprehension or prosecution of offenders have been met.

Sometimes we use the specialist help of other organisations/companies to process your data on our behalf. These companies are known as 'data processors'. In processing your data, we use the following data processors:

The RO will share your name, address and elector number with print suppliers in order to produce poll cards and postal vote stationery. A contract and data sharing agreement to protect personal data is in place.

The ERO will share your name, address, nationality and indicate if you are 76+ with print suppliers in order to produce annual canvass forms. A contract and data sharing agreement to protect personal data is in place.

The ERO will share your name, address, date of birth, National Insurance number, nationality and previous address with the Cabinet Office and DWP for the purpose of carrying out identity checks for new registration applicants. A data sharing agreement is in place to protect personal data.

The ERO will share the electoral register with the Cabinet Office as part of the National Fraud initiative (Part 6 of the Local Audit and Accountability Act 2014)

Details of any international transfers of your personal information:
(if applicable)

Click here to enter text.

Requests for information

All recorded information held by Newport City Council may be subject to requests under the Freedom of Information Act 2000, Environmental Information Regulations 2004 and the Data Protection Act.

If you would like to request a copy of the personal information that we hold about you, you can request to have a copy of our **Personal Information request form** here:

Information.management@newport.gov.uk

If you would like to submit a Freedom of Information Request/Environmental Information request to us, you can submit your request to us here:

www.newport.gov.uk/FOI

Your Rights

The Data Protection Act gives you a number of rights. Please note that not all of these rights are absolute and we will need to consider your request upon receipt. You have the right to request:

- a) to have your data rectified if it is inaccurate or incomplete;
- b) to have your data erased;
- c) to restrict the processing of your data;
- d) to exercise your right to data portability;
- e) to object to the processing for the purposes of direct marketing, profiling and automated decision making.

In all instances, please submit your request to:

information.management@newport.gov.uk

Complaints procedure

If you are unhappy with the way Newport City Council is using your data, you have the right to complain to us. If you would like to do this, please contact us by sending an e-mail to this address;

Information.management@newport.gov.uk

If you are not content with the subsequent outcome of your complaint, you may apply directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the Council's complaints procedure. The Information Commissioner can be contacted at:

The Information Commissioners Office,
Wycliffe House, Water Lane,

Wilmslow,
Cheshire
SK9 5AF.

How long will we retain your information?

Details of retention period

How long Newport City Council retains information is determined through statutory requirements or best practice.

Electoral Registers – 15 years in order to check entitlement to register of overseas electors.

Absent Vote identifiers – 5 years then ‘refreshed’ or deleted and right to vote by post / proxy removed.

Registration Forms and evidence as to age, nationality(including HEFs and ITRs) for the lifetime of that register (1Year)

Election documents are stored securely for 1 year.

Candidate’s home address forms at a Parliamentary election are destroyed on the 21st day after the member has been returned.

Candidate’s election expenses are kept securely for two years (except European and town/community candidate expenses that are stored for 1 year)

Details of transfers to county archives;
The National Library for Wales receives the full register.

Appendix 1

There are two registers. Why?

Using information received from the public, registration officers keep two registers – the electoral register and the open register (also known as the edited register).

The electoral register lists the names and addresses of everyone who is registered to vote in public elections. The register is used for electoral purposes, such as making sure only eligible people can vote. It is also used for other limited purposes specified in law, such as:

- detecting crime (e.g. fraud)
- calling people for jury service
- checking credit applications.

The open register is an extract of the electoral register, but is not used for elections. It can be bought by any person, company or organisation. For example, it is used by businesses and charities to confirm name and address details. Your name and address will be included in the open register unless you ask for them to be removed. Removing your details from the open register does not affect your right to vote.