Our core data protection obligations and commitments are set out in the council’s Primary Privacy Notice and on our website at Data Protection legislation.

**Service Name:** Electoral Services

Our core data protection obligations and commitments are set out in the Council’s primary privacy notice available at [https://www.salford.gov.uk/gdpr](https://www.salford.gov.uk/gdpr)

This privacy notice relates specifically to **electoral services** and explains what personal information is collected, what it is used for and who it is provided to.

This notice deals specifically with personal information concerning:

* Persons registering to vote;
* Candidates standing in elections; and
* Persons employed on registration/election activities

The Electoral Registration Officer (ERO) is responsible for ensuring that all eligible persons are registered to vote and the Returning Officer (RO) is responsible for ensuring the provision of elections/referendums.

It is important to note that both the ERO and RO are separate Data Controllers from the Council. Jim Taylor (Salford City Council Chief Executive) acts in both the roles of ERO and RO and both roles are legally independent of the Council.

This notice also describes why the ERO/RO requires your data and the legal basis on which they do this.

**Purpose(s)**

We use your personal data for electoral registration and administration purposes, including:

- The compilation and maintenance of the electoral register (there are two versions of the electoral register, the full version and the edited/open version – the difference between the two is summarised here: http://www.electoralcommission.org.uk/faq/voting-and-registration/what-is-the-electoral-register)
- Fulfilling legal obligations relating to the supply or sale of the electoral register.
- If you apply to be an absent voter, the compilation and maintenance of records of absent voters.
- Fulfilling obligations relating to the supply of absent voting lists.
- For the administration of local and national elections and referendums, including in particular:
  - Determining which electors are entitled to be issued with ballot papers at polling stations.
  - Determining which electors are entitled to vote by way of an absent vote.
  - Issuing poll cards to electors and to proxies.
• If you are a postal voter, issuing your postal vote pack and receiving your completed postal vote and postal voting statement.
• If you are a candidate at an election, processing and determining your nomination papers, publishing statutory notices containing your details, producing ballot papers and managing election processes in which you will be involved.
• If you are an election agent at an election, publishing statutory notices containing your details and managing election processes in which you will be involved.
• If you are a counting agent, polling agent, postal vote agent, nominating officer or similar official, managing election processes in which you will be involved.
• In its capacity as custodian of the Council’s copy of the electoral register, deciding how that copy may be used.
• If you make an enquiry or complaint, dealing with that enquiry or complaint.
• If you are employed by the Electoral Registration Officer or the Returning Officer, managing that employment.

The powers to do much of the above come from the following legislation:

• 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

Categories of Personal Data
This section of the privacy notice describes how we process personal data.

In relation to individuals who are registered, or applying to be registered to vote we will process names, (current and former) addresses, dates of birth and nationalities of individuals.
For a limited period we may also hold National Insurance Numbers of individuals registered (or registering) to vote.

When you apply to register to vote, to verify your identity, 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 here: https://www.registertovote.service.gov.uk/register-to-vote/privacy

Where it is not possible to verify an elector’s identity via the Individual Electoral Registration Digital Service, there may be additional processing of personal data in respect of supplementary evidence of identity submitted by applicants.

In relation to particular categories of elector (service voters, overseas electors, crown servants, etc) there may be additional information processed. For example, in relation to service voters, information may be processed relating to type of service (Army/Navy/Air Force), Rank, Regiment and BFPO address.

Where an elector requests an absent vote (i.e. to vote by post or proxy) personal identifiers in the form of signatures and dates of birth will be processed. For postal voters redirection addresses will be collected and for proxy voters details of the electors’ nominated proxies will be processed.

At elections we will process, in addition to the information relating to electors, information relating to candidates, candidate’s agents and individuals subscribing candidate’s nomination papers.

Personal data will be processed relating to staff employed directly by the Electoral Registration Officer or the Returning Officer. Such staff data will include an employee’s name, address, other contact details, national insurance number and bank details.

Personal data relating to individuals making enquiries or making submissions to election-related statutory consultations will also be processed.

We also process the following special category personal information:

- Race and ethnic origin, insofar as it may be possible for this to be inferred from nationality information.
- Political opinions – such as information contained within subscribed nomination papers.
- Health data – this may be contained within applications to vote by proxy.

In limited circumstances we will also process personal data relating to “criminal convictions and offences” (which under the Data Protection Act 2018 includes the alleged commission of offences) – for example the Electoral Registration Officer may receive a request to register to vote from a prisoner on remand or an application for anonymous registration may contain references to the alleged commission of offences by an identifiable third party.

**Legal basis for processing**

We collect, use and otherwise process this personal information on the basis of our legal obligations (Article 6(1)(c) of the General Data Protection Regulation (“GDPR”)) and/or its public task functions (Article 6(1)(e) of the GDPR).
In the case of the collection, use or other processing of special category personal data, the additional basis relied upon for processing such information is that it is necessary for reasons of substantial public interest (Article 9(2)(g) of the GDPR).

The statutory basis for the above is as detailed in section 2 of this notice.

**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 referendum) 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
  - Police forces and similar agencies
  - Government departments and other specified public bodies

**Automated Decision Making**

If you are a postal voter, we use your information to make decisions through automated means when we check personal identifiers that you provide against those contained in your original postal vote application. In any case where the automated process reports that the personal identifiers you have provided do not match those on your original postal vote application, there will be an intervention by a human being who will make any final decision (i.e. there will always be the involvement of a human decision-maker where the result of the automated process indicates the possibility of a decision to your detriment).

**Data retention/criteria**

Your information will be securely stored on the EPS shared files within the Councils IT systems. Personal records are kept until the child or young person reaches their 30th birthday, unless they are Looked After Children in which case the records are retained much longer.

**Your rights**

- **Electoral Registration**
We will retain any documents that contain your personal information for only as long as it takes for your registration application to be determined following which we securely dispose of the documents.

We retain electronic information about persons on the electoral register for only as long as they remain registered, following which the information will be deleted.

- **Candidates standing for election**

  We are required by law (Principal Area Rules 2006) to retain candidate nomination papers for candidates standing in elections for no longer than 12 months after the election, following which the documents are securely destroyed.

  Home address forms provided by candidates standing in General Elections are retained for a period of 21 days after the return of the legal writ, following which they are securely disposed of. However, if an election petition relating to the election is presented within the 21 calendar days, the home address forms must be kept securely until the conclusion of the petition proceedings (including any appeal from such proceedings). They must then be securely destroyed on the next working day following the conclusion of the proceedings or appeal.

  We are required by law to retain candidate election expenses documents for a period of no more than 2 years from the date on which the expenses are received. At the end of the two year period, the respective candidate can request the return of the expenses documents. Otherwise the expenses documents will be securely disposed of.

**Your Rights**

You can find out about your rights [here](#) if you wish to exercise any of your rights please submit your request to info@infogovernance@salford.gov.uk or by post to:-

Salford City Council,  
Information Governance Team  
Phase 2 Building  
Salford Civic Centre,  
Chorley Road,  
Swinton,  
Salford, M27 5AW

**How to raise a concern**

If you wish to raise a concern about our handling of your personal information, please contact our Data Protection Officer at info@infogovernance@salford.gov.uk

Whether you are exercising your rights or raising a concern, you will normally need to include documents that prove your identity as well as a clear and precise description of your request/concern.

We will process requests in accordance with the legislative framework and statutory timescales and inform you should an extension of time be necessary.

**Complaints**
If you are not satisfied with the way we have answered a request from you or handled your personal information, you have the right to make a complaint to the Information Commissioner who may be contacted at https://ico.org.uk/

This right is not dependant on you raising a complaint with us first but we would encourage you to contact our DPO so we can consider your concerns as quickly as possible

**Updates**

We may update or revise this Privacy Notice at any time but the most up to date version will always be provided on this web page.