



IPSWICH  
BOROUGH COUNCIL

## Returning Officer - Privacy Notice

<b>Introduction</b>	<p>The Returning Officer has provided this privacy notice to help you understand how we collect, use and protect your Personal Data which we hold in order to comply with our duties under The Representation of the People Act 1983.</p> <p>When reading this document please note that we use the terms 'Personal Data' and 'Personal Information' interchangeably.</p> <p>The document below will describe how we may collect and process your personal information.</p> <p>The purpose of this document is to clearly acknowledge the Returning Officer's responsibilities in relation to the United Kingdom General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA 2018).</p> <p>The Data Controller for this information is the Returning Officer. Russell Williams is formally appointed as the Returning Officer for Ipswich Borough Council.</p> <p>The Data Protection Officer for the Returning Officer is Siobhan Martin, Head of Internal Audit. She can be contacted at <a href="mailto:dataprotection@ipswich.gov.uk">dataprotection@ipswich.gov.uk</a></p>
<b>Definitions used in this Notice</b>	<p><b>Personal Data</b> means any information related to an identified or identifiable living individual- known as a '<b>data subject</b>'.</p> <p>An individual is regarded as identifiable if they can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data or an online identifier such as an IP address or cookie identifier. Alternatively they can also be identified by one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of the individual.</p> <p><b>Special Personal Data</b> previously known as 'sensitive personal data', relates to race, ethnic origin, politics, religion, trade union membership, genetic data, biometric data (where used to identify a person), health, sex life or sexual orientation. Records of personal data relating to criminal convictions and offences and allegations must be treated in a similar way.</p> <p><b>Processing</b> means any operation which is performed on information such as. collection, recording, organisation, structuring, storage, adaption or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or making available, alignment or combination, restriction, erasure or destruction.</p>



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	<p><b>Data Controller</b> determines the purposes and means of processing personal data.</p> <p><b>Data Processor</b> is a third party who processes personal data on behalf of the Controller</p> <p><b>Third Party</b> is someone / somebody who is not the Data Controller, the Data Processor or the Data Subject.</p>
<p><b>Who we are and what do we do:</b></p>	<p>The Returning Officer and Electoral Services Team are responsible for the administration of elections and referendum in the borough of Ipswich.</p>
<p><b>How we lawfully process Personal Data</b></p>	<p>Your personal data is being processed under Article 6 (c) [legal obligation] or (e) [public task].</p> <p>The Council processes special category personal data that relates to your political opinion under:</p> <ul style="list-style-type: none"> <li>• Article 9 (e): made manifestly public by the data subject (in this case the candidates for election and their proposers)</li> <li>• Article 9 (g) (6): reasons of substantial public interest: statutory or other government purpose</li> </ul> <p>The Returning Officer regards the lawful and correct treatment of personal information as critical to their successful operations, maintaining confidence between themselves and those with whom they carry out business. The Returning Officer will ensure that they treat personal information correctly in accordance with the law. The legislation that allows us to process your data includes but is not limited to:</p> <ul style="list-style-type: none"> <li>• Local Government Act 1972.</li> <li>• Representation of the People Act 1983</li> <li>• Representation of the People Act 1985</li> <li>• Representation of the People Act 2000</li> <li>• Local Government Act 2003</li> <li>• Electoral Administration Act 2006</li> <li>• Electoral Registration and Administration Act 2013</li> <li>• Representation of the People (England and Wales) Regulations 2001</li> <li>• The Equality Act 2010</li> <li>• The Public Sector Equality Duty</li> <li>• The Localism Act 2011</li> </ul>
<p><b>How the law protects you:</b></p>	<p>The UK GDPR and the DPA 2018 set out how we can lawfully use personal information. Complying with the law protects individuals from harm and the Returning Officer will only ever process your information where we are legally able to.</p>



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<p><b>Our responsibilities</b></p>	<p>The UK GDPR and the DPA 2018 provide us with our main responsibilities for processing personal data.</p> <p>All personal information provided by you is held securely and in confidence in compliance with the UK GDPR and DPA2018.</p>
<p><b>Your rights:</b></p>	<p>The UK GDPR and DPA 2018 provide you with the following rights:</p> <ol style="list-style-type: none"> <li>1. The right to be informed</li> <li>2. The right of access</li> <li>3. The right to rectification</li> <li>4. The right to erasure</li> <li>5. The right to restrict processing</li> <li>6. The right to data portability</li> <li>7. The right to object</li> <li>8. Rights in relation to automated decision making</li> <li>9. The right to withdraw consent</li> <li>10. The right to complain</li> </ol> <p>Requests in relation to your rights should be directed to the Electoral Services Team. A request can be made <u>verbally but we would prefer for you to do so in writing, by email to <a href="mailto:elections@ipswich.gov.uk">elections@ipswich.gov.uk</a></u>.</p> <p>For further information on your rights, please see <a href="https://www.ipswich.gov.uk/content/privacy-policy">https://www.ipswich.gov.uk/content/privacy-policy</a>.</p> <p>If you are unhappy with the way the Returning Officer has processed your information please contact <a href="mailto:dataprotection@ipswich.gov.uk">dataprotection@ipswich.gov.uk</a>. The Council will look in to your concerns for you. If after that if you are still unhappy you may contact the Information Commissioner's Office. Their contact details are available at <a href="http://www.ico.gov.uk">www.ico.gov.uk</a></p>
<p><b>Your responsibilities</b></p>	<p>You are responsible for making sure you give us accurate and up to date information, and to let us know if any personal information we hold is incorrect.</p>
<p><b>When do we collect information about you?</b></p>	<ul style="list-style-type: none"> <li>• The information is provided by you when you apply to register to vote.</li> <li>• The information is provided by you when you submit a nomination to become a candidate or by others on your behalf.</li> </ul>
<p><b>What information do we maintain?</b></p>	<p>We will only collect and use the minimum information needed.</p> <p>The information about you which we will maintain may include:</p> <ul style="list-style-type: none"> <li>• Name and address of elector</li> <li>• Chosen voting method for elector</li> <li>• Details of an elector's chosen proxy where applicable</li> <li>• Date of birth for electors turning 18 during the election year</li> <li>• Full name of candidate and commonly used names</li> </ul>



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	<ul style="list-style-type: none"> <li>• Date of birth</li> <li>• Contact details</li> <li>• Home address</li> <li>• Signature</li> <li>• Candidate qualifications</li> <li>• Record of candidate consent to nomination</li> <li>• The political party you are representing in the election (where applicable)</li> <li>• Elector subscriber names, signatures and elector numbers</li> <li>• Witness personal information including signatures</li> <li>• Bank details of candidate and agents (for return of election deposits where applicable)</li> <li>• Name, address and signature of appointed election agent</li> <li>• Counting agents, postal voter opening observers and polling agent details</li> <li>• Name, address and contact details of a candidate's guest for the Count</li> <li>• Details of expenditure incurred or donations received, plus invoices/receipts of these</li> <li>• Name and contact information for members of the public or the press making election enquiries</li> </ul>
<p><b>How do we use your information?</b></p>	<p>We will be using your information to:</p> <ul style="list-style-type: none"> <li>• Administer elections, including production of poll cards, postal vote packs and ballot papers</li> <li>• Report the result of the election</li> </ul> <p>We will not use your personal data for other purposes other than for what it was collected unless we have obtained your consent or for other lawful purposes (e.g. detection and prevention of fraud).</p> <p><b>Automated processing/profiling:</b></p> <p>No automated processing is undertaken.</p>
<p><b>How long do we keep your information?</b></p>	<p>We will hold your personal information in line with the Returning Officer's Retention Policy. Please note that election results are retained in perpetuity as a matter of public record.</p> <p>You have the right to request that your personal information is deleted at any time, however whether this is possible will depend on the reasons why the data is processed. The Council will consider your request and comply where possible. If it is not possible, we will explain the reasons to you.</p>
<p><b>Transferring your information overseas</b></p>	<p>Currently, we do not transfer any personal information outside of the United Kingdom</p>



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<b>Data sharing</b>	We may share your personal information with: <ul style="list-style-type: none"><li>• Printing and IT contractors for the purposes of producing election materials</li><li>• Political parties</li><li>• The Electoral commission</li></ul> Information relating to electoral candidates and the results of elections is made public.
<b>National Fraud Initiative NFI</b>	We may share information provided to us with other bodies responsible for auditing, or administering public funds, or where undertaking a public function, in order to prevent and detect fraud. For further information, see , which can be found at <a href="https://www.ipswich.gov.uk/content/privacy-policy..">https://www.ipswich.gov.uk/content/privacy-policy..</a>