

# Privacy Notice

This privacy notice sets out how West Berkshire District Council (the “**Council**”) will use your personal data, and your rights in relation to that personal data. This document describes how and why we collect, store, protect, process and share the data you give to us. It is written in accordance with the UK data protection legislation.

This notice relates to the use of personal data collected by the Electoral Services Team in respect of (i) the electoral register, (ii) electoral nomination papers and (iii) elections staff. We collect personal data to enable us to compile the Electoral Register, process electoral nominations and otherwise run elections. We use the data we collect to conduct elections, register individuals to vote and make sure the process is carried out fairly and legally.

Date of Issue: June 2025

Update History:

May 2018	First issue of a new Privacy Notice
March 2019	Electoral Nominations guidance added
October 2020	Updated link to Civica/CES Privacy Notice
August 2021	Updated link to IERDS information, DPO information and service name
June 2025	Full re-write using the AEA (Association of Electoral Administrators) Privacy Notice template and WBC (West Berkshire Council) new template

Directorate: Resources  
Service: Legal & Democratic  
Team: Elections and Land Charges  
Email: [vote@westberks.gov.uk](mailto:vote@westberks.gov.uk)  
Telephone: 01635 519464

## About the Organisation

The Electoral Registration Officer is the Data Controller. This means it is ultimately responsible for the data it holds about you and is registered with the Information Commissioners Office.

Contact Address:

Electoral Registration Officer  
West Berkshire District Council (“the Council”)  
Market Street  
Newbury  
Berkshire  
RG14 5LD

ICO Registration Number: ZB364489

## THE PERSONAL DATA WE HOLD ABOUT YOU

### (i) Electoral Register

- Your name, address, nationality and date of birth
- Email address (optional)
- Telephone number (optional)
- Unique identifiers (such as National Insurance Numbers).
- Signatures for absent vote checking
- Scanned application forms, documentary evidence
- 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 16 or 17 years old
- Whether you have chosen to opt out of the open version of the register.
- We may require further evidence such as copies of a passport, a marriage certificate or a driving licence.

### (ii) Electoral Nomination Papers

- Names
- Addresses (of candidates, proposers, seconders, and witnesses)
- Polling district
- Elector number
- Signature / consent

### (iii) Elections Staff

- Names and addresses
- E-mail address
- Telephone number
- Bank payment details

These details may be written down or kept on a computer. Data held on Electoral Management system, provided by Civica, is protected using up-to-date technical and organizational security measures and will only be accessed using secure encrypted laptops.

## SOURCE OF YOUR PERSONAL DATA

We collect the above information about you from the data you enter when you register for inclusion on the Electoral Register, apply for absent vote, respond to annual canvass, complete election nomination papers, work in elections.

Information is collected from you via:

- Online web forms
  - Hard copy documents
  - Email
  - Telephone
  - Face-to-face discussion
-

Information may also be collected from data you have supplied to

- Government online registration website
- The Department for Works and Pensions (DWP) Tell Us Once
- Council Tax
- Customer Services

## PURPOSE AND LEGAL BASIS FOR PROCESSING YOUR PERSONAL DATA

In accordance with the data protection laws, we need a "legal basis" for collecting and using information about you.

The lawful basis for processing your information is necessary for compliance with a legal obligation, as specified by the following legislation governing Electoral Register and running of elections.

- Representation of the People Act 1983
- Electoral Registration and Administration Act 2013
- Representation of the People Regulations 2001
- Electoral Registration (Disclosure of Electoral Registers) Regulations 2013
- Elections Act 2022

There are a variety of different legal bases for using personal data which are set out in the data protection laws.

We have set out below the different purposes for which we collect and use your personal data, along with the legal basis we rely on to do so.

Why we use your information	Our legal basis for using your information
<p><b>(i) Electoral Register</b></p> <p>We will use your data for the purpose of compiling and maintaining an accurate Register throughout the year and for conducting elections.</p> <p>There are two registers – the full electoral register and the open (edited) register. The open register contains the same information as the full register but is not used for elections or referendums.</p> <p>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.</p> <p>Email addresses and phone numbers are not published on the electoral register, but are used</p>	<p><b>Legal Obligation:</b> Article 6(1)(c) of the General Data Protection Regulations ("GDPR), namely processing is necessary for compliance with a legal obligation to which the controller is subject.</p> <p><b>Public Task:</b> Article 6(1)(e) of the GDPR, namely the processing is necessary for the performance of a task carried out in the public interest.</p>

Why we use your information	Our legal basis for using your information
<p>for communication relating to registration, absent vote renewal and annual canvass.</p> <p><b>(ii) Electoral Nomination Papers</b></p> <p>The Council uses the data collected on nomination papers solely to make sure nominations for electoral candidates (in local, parliamentary and PCC elections) are valid and that the elections are therefore being held fairly.</p> <p><b>(iii) Elections Staff</b></p> <p>The Electoral Registration Officer (ERO) and Returning Officer (RO) has a statutory duty to appoint staff for election duties.</p>	

## SHARING YOUR PERSONAL DATA

Your data will be seen and processed by employees of the Council employed within the Electoral Services Team or a related service.

To meet our statutory obligations, we are required to share your data with the following parties and organisations:

### (i) Electoral Register

- As part of the registration process, the data you provide will be processed by the Individual Electoral Registration Digital Service managed by the Cabinet Office in order to verify your identity. 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 on the [GOV.UK website](#).
- The full register is published once a year and is updated every month. In accordance with the specific legislative provisions which permit its supply and restrict its use. It may only be supplied to the following people and organisations:
  - British Library
  - National Library for Wales
  - National Library for Scotland
  - UK Statistics Authority
  - Electoral Commission
  - Boundary Commission for England
  - Jury Summoning Bureau

- Elected Representatives (MP, Local Councillors, Parish Councillors, Combined Authority Mayor, Local Authority Mayor, Member of the Senedd, Member of Scottish Parliament)
- Police and Crime Commissioner
- Candidates standing for elections
- Local and National Political Parties
- The Council
- Parish and Community councils
- Police Forces, National Crime Agency
- Local authority archive services (Royal Berkshire Archives)
- Government departments or bodies
- Credit Reference Agencies
- National Fraud Initiative
- Electoral Registration Officers and Returning Officers

It is a criminal offence for anyone who has a copy of the full register to supply, disclose or otherwise make use of information in this register for any purpose other than that set out in relevant legislation.

Anyone can inspect the full electoral register.

- Inspection of the register will be under supervision
  - Those inspecting it may take extracts from the register, but only by handwritten 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
  - Anyone who fails to observe these conditions is committing a criminal offence and may incur a penalty of up to £5,000.
- Open Register – May be sold to any person, organisation or company 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 online directory firms.
  - Our software providers and contracted printers, this is subject to appropriate safeguards.

## **(ii) Electoral Nomination Papers**

- Electoral agents/candidates have certain duties under the law to explain how they will use the information they capture from nominees, proposers, seconders at the point they collect the data. Agents/candidates then pass the data they have collected to the council for processing; the council makes a reasonable assumption that details have not been falsified or obtained without permission and that agents have observed the law in compiling the nomination papers.
  - Nomination papers are only seen by Electoral Services staff to ensure that nominees are entitled to stand. They are, however, available to inspect by anyone who wishes to make an appointment to do so as public documents. Someone who makes an appointment is only allowed to inspect the papers under supervision and
-

make notes manually (i.e. they are not allowed to photocopy or photograph the papers).

- Agents/candidates then pass the data they have collected to the council for processing; the council makes a reasonable assumption that details have not been falsified or obtained without permission and that agents have observed the law in compiling the nomination papers.

### **(iii) Elections Staff**

- For the purposes of an election, your name and contact telephone number may be shared with other staff at polling stations, the venue administrator and training providers so they can contact you prior to, or on polling day.
- For payment purposes we will share your personal information with the Payroll Team at West Berkshire Council.

## **RETAINING YOUR PERSONAL DATA**

Your personal data will not be kept longer than necessary.

You can check how long the Council will keep each type of data against our retention schedule ([www.westberks.gov.uk/retention](http://www.westberks.gov.uk/retention)).

## **YOUR RIGHTS**

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
  - **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
  - **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
  - **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
  - **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
  - **Request the transfer** of your personal information to another party.
-

- **Withdraw consent** to the processing of your personal data at any time, where processing is based on your consent. To withdraw your consent, please contact our Data Protection Officer using the contact details below. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

## HOW TO MAKE A REQUEST

If you wish to make a request associated with any of the rights listed above, contact the Council using the contact details at the top of this notice.

## INTERNATIONAL TRANSFERS

Your personal data will not be processed outside the UK or by an international organisation.

## COMPLAINTS

If you are dissatisfied with how the Electoral Registration Officer and Returning Officer have used your personal information you have a right to complain to the Information Commissioner's Office at <https://ico.org.uk/make-a-complaint/>

The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
0303 123 1113

Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)

Any complaint to the Information Commissioner is without prejudice to your right to seek redress through the courts.

## CHANGES TO THIS PRIVACY NOTICE

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

---