



# Elections and Electoral Services

## Privacy Notice for Polling Place Contacts

Under the Representation of the People Act 1983 each Local Authority must by law appoint a 'Returning Officer'. This is a personal appointment with its own statutory functions, separate to the Moray Council.

The Returning Officer has a statutory duty to process certain personal data for the purpose of administering election and referenda; and as such, is subject to the requirements of data protection regulations as a 'data controller'. Denise Whitworth is the Returning Officer for the Moray Council and is the registered Data Controller with the Information Commissioners Office (ICO).

For many of the Returning Officer functions, the Council's Elections Office will not be processing personal data on behalf of the Council; it will instead be processing personal data on behalf of one or more of the following statutory office holders:

- the Registration Officer appointed by the Council under section 8 of the Representation of the People Act 1983;
- the Returning Officer appointed for the purposes of local authority elections by the Council under section 41 of the Representation of the People Act 1983;
- the Counting Officer responsible for the administration, within the Council's local authority area, of any local, regional or national referendum;
- any other statutory office holder whose duties relate to administering elections or referenda and whose office is held by virtue of holding one or more of the offices described above or is otherwise required by law be held by an officer of the Council.

For any queries or concerns about how your personal data is being processed you can contact the Data Protection Officer at [info@moray.gov.uk](mailto:info@moray.gov.uk). You can also consult the information available at the Information Commissioner's websites, [ico.org.uk](http://ico.org.uk)

The personal data that we collect from this process will be deleted once it is no longer required as specified in the appropriate retention schedules. You can view our full list of retention schedules at [www.moray.gov.uk/moray\\_standard/page\\_92820.html](http://www.moray.gov.uk/moray_standard/page_92820.html)

### **As a contact for a polling place your personal data is required for the following purposes:**

- Facilitating correspondence with your venue regarding designation, bookings, invoices and payment.
- Generating a contact list of polling places in Moray for the use of presiding officers assigned to the polling place polling place inspectors, election office and for security purposes our Single Point of Contact (SPOC) officer at Police Scotland.
- Facilitating ballot booth delivery and collection.

**Your personal data is used in relation to the above activities under the following legal basis:**

Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller (i.e. the Returning Officer).

**The personal data required includes:**

- Booking and Correspondence Name
- Booking and Correspondence address
- Booking and Correspondence contact details - phone number(s), email address
- Key-holder name
- Key-holder home address
- Key-holder contact details – phone number(s), email address

This information may be provided to us by the polling place caretaker, facilities management, committee/board member or owner rather than from the data subject (i.e. you) directly.

**Your information will be shared with the following recipients or categories of recipient:**

- Returning Officer
- Presiding Officers
- Council's Election Office
- Ballot booth drivers and supervisors
- Polling place inspectors
- Our SPOC at Police Scotland

The Moray Council Returning Officer is required by law to protect the public funds it administers. It may share information provided to them with other bodies responsible for auditing, administering public funds, or where undertaking a public function, in order to prevent and detect fraud.

Personal data relating to this process will not be shared outside of the EU.

**Please note that you have the following rights:**

- To lodge a complaint with the Information Commissioner's Office (see below for contact details)
- To request access to your personal data
- To request rectification or erasure of your personal data, as so far as the legislation permits
- to object to any processing undertaken for the purposes of scientific/historical research and statistics, as so far as the data protection legislation permits
- To object to processing carried out under the 'public task' legal basis

Information Commissioner's Office

Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Telephone: 0303 123 1113

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