

# Elections and Electoral Services

## Privacy Notice for Temporary Election Staff



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 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 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 as appointed;
- 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 member of the temporary election staff your data is required for the following purposes:**

- With your consent, to be included in the annual 'Staff Canvass' to ascertain your availability and preference for forthcoming temporary election posts
- Managing election processes in which you are involved. This includes: appointment to temporary election posts and providing information relating to the same, attendance at training, pass and door checklists, ensuring security and efficient administration at polling places, providing contact information to supervisors and colleagues where you and whom you are working with, , reporting statutory returns to central government.
- Transferring data to neighbouring local authorities elections offices with which the council shares a cross constituency during certain elections
- Transferring your data to the Council's Human Resource and Payroll department and HMRC for the purposes of staff fee payments

### **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 exception is the use of your personal information in the Staff Canvass, which takes place under the following legal basis:

- The data subject (i.e. you) has given consent to the processing.

Personal data concerning your political opinions is classed as 'Special Category' data, and as such a secondary legal basis is required for processing this data. The relevant legal basis is the 'Political Parties' condition of the 'Substantial Public Interest' subsection of the Data Protection Act 2018 (Schedule 1, Part 2, Paragraph 22).

**The personal data that may be required includes:**

- Name
- Address
- Contact details (e.g. phone number, email address)
- National Insurance Number
- Stated political affiliation (if any)

We will keep a record of your assigned payroll number and the gross amount payable to you. We may require further evidence from you such as copies of your passport or identification or driving licence.

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

- Presiding Officers (e.g. Moray Council Returning Officer)
- Count supervisors and door supervisors
- Polling Place Inspectors
- Security colleagues (if required)
- Scottish Office (names and payroll number only)
- Scottish Government (names and payroll number only)
- Electoral Claims Unit (names and payroll number only)
- The Council's Human Resources and Payroll department
- HMRC
- Electoral Registration Office (names and phone numbers only)
- Single Point of Contact (SPOC) officer at Police Scotland, if required

Moray Council Returning Officer is required by law to protect the public funds it administers. It may share information provided to it 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
- Where the legal basis for processing is your consent (i.e. the Staff Canvas), to withdraw consent at any time

Information Commissioner's Office

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

Telephone: 0303 123 1113 Email: casework@ico.gov.uk