

# Data Protection Register Entry Details & Privacy Notice

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## THE ELECTORAL REGISTRATION AND RETURNING OFFICER

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**Registration Number:** Z6350537

**Date Registered:** 18 February 2002    **Registration Expires:** 17 February 2026

**Data Controller:** The Electoral Registration and Returning Officer London Borough of Ealing

**Data Controller Contact:** Ross Jackson

**Address:**

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This data controller is The Electoral Registration Officer and Returning Officer, a separate data controller to Ealing Council, and is not a public authority listed under the Freedom of Information Act 2000

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**This register entry and privacy notice describes, in general terms, the personal data being processed by:**

The Electoral Registration and Returning Officer

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### **Purpose of the processing and the legal basis for the processing**

The Electoral Registration Officer is responsible for producing the register of electors and absent voter lists.

The Returning Officer is responsible for administering elections and referenda.

Personal data is collected to enable the Electoral Registration and Returning Officer to carry out the following functions performed in the public interest:

- Maintaining the Register of Electors
- Maintaining the Absent Voter Lists
- The administration of elections and referenda
- The administration of Business Improvement District (BID) Ballots
- The maintaining of own accounts and records
- The support and management of employees of the Electoral Registration and Returning Officer
- To promote electoral registration and the election process
- To meet any statutory requirement of the Electoral Registration and Returning Officer, and to administer and enforce rules and regulations relating to electoral registration and elections
- To undertake local and national fraud initiatives
- To prevent and detect crime
- To undertake any activity required to carry out as a data controller
- To undertake electoral research
- The support of electoral registration and election finance functions
- The management of archived records for historical and research purposes
- To undertake data mining and matching activities to ensure an accurate and complete Register of Electors
- The management of the public record of the Register of Electors

### **The legitimate interests of the controller or third party**

The Electoral Registration and Returning Officer is required to collect, process and keep a record of individual's personal information in order to perform a public task and to comply with legislation contained within the Representation of the Peoples Act 1983, Electoral Registration and Administration Act 2013, Representation of the People Regulations 2001, The Elections Act 2022, and the Electoral Registration (Disclosure of Electoral Registers) Regulations 2013.

## Categories of personal data

The Electoral Registration and Returning Officer processes information relevant to the above reasons/purposes, which may include:

- personal details (including national insurance number, date of birth, gender)
- previous or any redirected addresses
- other occupants in your home
- family details
- lifestyle and social circumstances
- immigration status
- benefit status
- goods and services
- financial details
- employment and educational details
- notes about any relevant circumstances that you have told us
- documentary evidence that you may have supplied
- whether you have chosen to opt out of the open version of the register
- visual images
- licenses, passports or permits held
- student and pupil records
- business activities

We also process special categories of personal data that may include:

- physical or mental health details
- nationality
- racial or ethnic origin
- political affiliation
- political opinions
- offences (including alleged offences)
- religious or other beliefs of a similar nature
- criminal proceedings, outcomes and sentences

The Electoral Registration and Returning Officer has in place a [Policy Document for processing special categories of personal data](#).

## Any recipient or categories of recipient who information may be shared with

To verify individual's identity, the personal data an individual provides will be processed by the Individual Electoral Registration Digital Service managed by the Cabinet Office. As part of this process individual's personal 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>.

Furthermore, we sometimes need to share information with the individuals we process information about and other organisations. Where this is necessary, we comply with all aspects of the Data Protection Bill. What follows is a description of

the types of organisations we may need to share some of the personal data and information we process with for one or more reasons.

Where necessary or required by law, and subject to appropriate safeguards, we share information with:

- Boundary Commission for England
- British Library
- BID Bodies
- Cabinet Office
- Carers or representatives
- Complainants, enquirers or their representatives
- Courts and tribunals
- Credit Referencing Agencies
- Current past and prospective employers
- Customers
- Data processors
- Debt collection and tracing agencies
- Ealing Council
- Elected Councillors
- Election candidates and agents
- Electoral Commission
- Electoral Commission Registered Campaigners
- Electoral Registration and Returning Officers
- Family, associates or representatives of the person whose personal data we are processing
- Financial organisations
- Greater London authority political representatives
- Healthcare, social and welfare organisations
- HM Customs and excise
- Housing associations and landlords
- Information Communication Technology (ICT) service providers
- International law enforcement agencies and bodies
- Jury summoning bureau
- Local and central government
- Local and national Political Parties
- Members of Parliament
- National Fraud Initiative
- Ombudsman and regulatory authorities
- Partner Electoral Registration Officers, Returning Officers, Regional Returning Officers and Counting Officers
- Police and Crime Commissioners
- Police forces
- Press and the media
- Providers of goods and services
- Regulatory bodies
- Security companies
- Service providers
- Staff, persons, contractors contracted to provide a service

- Students and pupils including their relatives, guardians, carers or representatives
- Suppliers
- Survey and research organisations
- Trade unions
- UK Statistics Authority
- Voluntary and charitable organisations

The Electoral Registration and Returning Officer maintains records of every person or organisation above that have been supplied with information.

Every person/organisation receiving information are made aware that:

- they must only use the information for the purposes specified in the regulations permitting its supply
- once the purpose for which the information was supplied has expired, they must securely destroy the data
- they understand the penalty for misuse

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.

### **Inspection of the register**

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.

### **The Edited Register (Open Register Version) and Consent**

The Electoral Registration Officer is required by law (Regulation 93 of the Representation of the People Regulations 2001) to publish an edited version of the register.

While an individual may 'opt-out', the Electoral Registration Officer is required to include their details in the edited register if they do **not** do so.

The edited register contains the same information as the full register of electors, but is not used for electoral purposes. This version of the register can be sold to any person, organisation or company for a wide range of purposes. Users of this register include direct marketing companies, online directories and businesses.

The Information Commissioners Office (ICO) have confirmed that legislation provides for a statutory opt-out and that the Electoral Registration Officer is processing personal data for inclusion on the edited register on the 'lawful' basis that it is necessary to perform a public task. Therefore, the data protection bill conditions for consent will **not** apply.

### **Details of transfers to third country and safeguards**

It may sometimes be necessary to transfer personal information overseas. When this is needed, information may be transferred to countries or territories around the world. Any transfers made will be in full compliance with all aspects of the data protection bill.

### **Retention period or criteria used to determine the retention period**

Personal data processed for any purpose will not be kept for longer than necessary for that purpose.

The Electoral Registration and Returning Officer adheres to his document retention and disposal policy and the authorities' corporate retention and disposal schedule guidelines. This is intended to cover the continuum of records and information from creation through to destruction, and retention for any statutory, historical and research purpose.

The Electoral Registration and Returning Officer has in place a Retention and Disposal Policy Document and this can be found [here](#)

Ealing Council has in place a Corporate Retention and Disposal Policy Document and this can be found [here](#)

### **The right to be informed**

This privacy notice has been provided in clear plain language and is intended to afford any individual with sufficient information to enable them to understand how their personal data is used by the Electoral Registration and Returning Officer.

When data is collected directly from the individual, notice will be given at the point of collection (for example, included in letters requesting documentary evidence under the exceptions process, or on application forms for the appointment of election staff).

When data is not collected directly, notice will be given to the individual within one month or at the first point of contact.

If the individual was notified of the terms of the privacy notice when the data was originally collected by a primary data controller (for example, if the Electoral Registration Officer obtained personal data collected by another council service area to verify an applicant for registration), no notice will be sent provided one was given to the applicant by that council service area when the personal data was originally collected.

## **The right to rectification**

Individuals can request a copy of any information about them held by the Electoral Registration and Returning Officer.

Such requests will normally be supplied free of charge, although if requests are for searches of the Register of Electors for a period of more than 15 years, reasonable administrative costs may be applied.

If the information we hold about you is inaccurate you have a right to have this corrected and you have the right to request completion of incomplete data.

## **The right to erasure**

Article 17 of the GDPR introduces the “right to be forgotten” meaning that individuals can request for their information to be deleted without “undue delay”.

The right to erasure / to be forgotten does **not** apply when processing is required for the performance of a public task (such as the maintaining of electoral registers) or where it is necessary for archival in the public interest.

An individual cannot contact the Electoral Registration Officer and ask to be removed from ‘historical’ electoral registers since their inclusion on that register originated from a legal obligation on the Electoral Registration Officer.

Individuals may request in writing, that where information has been collected on grounds of consent that it is deleted or removed at any time. An example of which could be where an individual has given consent to The Electoral Registration and Returning Officer to use of their email address.

## **The right to object**

Individuals have the right to exclude themselves from the edited register (also known as the open register) on a permanent basis (or until further notice). A request for exclusion can be made either in writing to the Electoral Registration Officer, or indicated on the annual Household Enquiry Form (HEF) provided the elector has themselves clearly indicated on the form they want to be removed from the open register until further notice. Such requests will be treated as a notice under Article 21 of the GDPR and information amended to the register accordingly.

The right to object to processing cannot however be applied to information where the collection of or the nature of the processing is specified in electoral law. For example, in relation to electoral registration, the data subject can object to the processing of their email or telephone contact details but not to the use of their name or home address for the purpose of maintaining the full electoral register.

The Electoral Registration Officer may use contact information for the purpose of inviting individuals to register to vote or for other registration or election related matter. The email Invitation to Register (ITR), together with all other email correspondence, comprises of an unsubscribe option to allow individuals to make a

request under the right to object to the use of their contact information for this or other purposes.

### **The right to lodge a complaint with the ICO**

If you are dissatisfied with how the Electoral Registration and Returning Officer has used your personal information you have a right to complain to the Information Commissioners Office, by email to [casework@ico.org.uk](mailto:casework@ico.org.uk) , by phone on 0303 123 1113, or by writing to ICO, Wycliffe House, Water Lane, Wilmslow, Cheshire SK5AF. Further information can be found on the ICO website at [www.ico.org.uk](http://www.ico.org.uk) .

### **Whether the provision of personal data part of a statutory or contractual requirement or obligation and possible consequences of failing to provide the data**

The Electoral Registration and Returning Officer has a statutory duty to process certain personal data to maintain the electoral register and for the purpose of administering elections.

Failure of an individual to provide personal information requested by the Electoral Registration Officer could lead to a fine of up to £1,000, and if an individual knowingly gives false information a fine of up to £5,000 and/or six months in prison.

The following is a list of the main primary and secondary legislation relevant to the collection, processing and retention of personal data by the Electoral Registration and Returning Officer:

Local Government Act 1972
Representation of the People Act 1983
Electoral Administration Act 2006
Electoral Administration Act 2013
Representation of the People (England and Wales) Regulations 2001
Representation of the People (England and Wales) (Amendment) Regulations 2002 and 2006
Representation of the People (England and Wales) (Amendment) (No 2) 2006
European Parliamentary Elections (Registration of Citizens of Accession States) Regulations 2003
European Parliamentary Elections Regulations 2004
European Parliamentary Elections (Amendment) Regulations 2009
The Business Improvement Districts (England) Regulations 2004
Local Elections (Principal Areas) Rules 2006
Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007
Greater London Authority Elections Rules 2007
The Local Authorities (Mayoral Elections) (England and Wales) (Amendment) Regulations 2011
The Local Elections (Principal Areas) (England and Wales) (Amendment) Rules 2011



Greater London Authority Elections (Amendment) Rules 2012
Financial Services Act 1986
Finance Act 2015
Neighbourhood Planning (Referendums) Regulations 2012