

How your personal Information is used by The Returning Officer and The Election Team

The Returning Officer and the Election Team take your privacy seriously. Under the Data Protection Act 2018, you have a right to know how we collect, use and share your personal data.

This privacy notice explains the information we need in order to carry out the Returning Officer's duties in respect of all elections, by-elections and referenda held in the local authority area, part thereof, or beyond (during cross-constituency polls) including but not limited to UK Parliamentary, Scottish Parliamentary, Local Government, Business Improvement Districts, Community Councils, Community Buyout Ballots and local and national referenda.

Our Privacy Promise

We promise to collect, process, store and share your data safely and securely.

What lets us collect your information?

If we work with you we will be acting under the legislation noted below:

- The Representation of The People Acts, as amended

What kinds of personal data do we collect?

The personal data we collect might include your **name, address, telephone number and email address or other information that identifies you**. In some cases we will require information to confirm your right to work in the UK. We may also collect what is called 'special category' data – that is, sensitive information such as previous convictions, health/medical information and political affiliations.

How do we collect your personal data?

We collect your personal data in many different ways. You might give us your personal data yourself, by entering your information in a form on the Council website or by contacting the Returning Officer and his staff in person, in writing or over the phone. We might also receive your personal data from other agencies or local authorities. If we share information regularly with another organisation, the conditions for sharing your personal data are set out in an Information Sharing Agreement.

How do we use your personal data?

Personal information is used to enable us to conduct elections and referenda in the local authority area part thereof, or beyond, in line with statutory requirements. For example, to register you as a candidate, agent or campaigner for a forthcoming election or referendum or as a member of the Returning Officer's staff.

Why do we share your personal data?

We sometimes need to share your personal information with other organisations. Where this is necessary we comply with all aspects of data protection as prescribed in law (the EU General Data Protection Regulation (GDPR) and the relevant UK Data Protection Act).

With whom do we share your personal data?

If necessary, we might share your personal data with other external partners, agencies and authorities, depending on the service being provided. We will sometimes share your personal information between services within the Council. We will only share your personal data if it is necessary to do so, and the appropriate conditions have been met.

Where necessary or required we may share information with:

- The general public;
- Associates and representatives of the person whose personal data I am processing;
- Electoral administration bodies such as the Electoral Commission and the Electoral Management Board for Scotland, the Electoral Registration Officer (Lothian Valuation Joint Board);
- Returning Officers/Counting Officers in neighbouring authorities with whom there is cross boundary constituency or voting area;
- Central and local government;
- Candidates, election agents, political parties and permitted participants;
- Police Scotland and the Scottish Courts Service (in relation to allegations of criminal conduct or criminal proceedings);
- Suppliers including data processors appointed in connection with the production of polling cards and the production and verification of postal voting packs, and the suppliers of electronic voting or counting systems;
- Political organisations, parties and campaign groups;
- The media/press (with respect to information related to statutory notices of election, poll and election results); and
- Those statutorily entitled to view and/or buy copies of marked registers or other election documentation.

We are legally obliged to share certain data with other public bodies, such as HMRC and will do so where the law requires this. We are also legally obliged to safeguard public funds so we are required to verify and check your details internally for fraud prevention. We may share this information with other public bodies (and also receive information from these other bodies) for fraud checking purposes.

How long do we keep your personal data?

Your personal data is kept in line with Midlothian Council's Retention Schedule. The retention schedule sets out the kinds of information the Council creates and uses, how long it should be kept, and what should be done with it at the end of its 'life'. [Retention Schedule](#)

Further Information

You can also find out more about how Midlothian Council uses your information to detect and prevent fraud or crime, information collected through our website, recorded telephone calls, CCTV, the rights you have under the Data Protection Act, and how to contact us by referring to the overarching Midlothian Privacy Policy.