# Assessor and Electoral Registration Officer Data Protection Policy Statement

## The General Data Protection Regulations (GDPR) and UK Data Protection Law

The Lanarkshire Assessor and Electoral Registration Officer has and uses a large amount of personal data including special category personal data, about people. This information could be about service users/customers, current, past and prospective employees, suppliers and clients.

The proper handling of this information is vital. If the Lanarkshire Assessor and Electoral Registration Officer does not comply with the GDPR and data protection law, it will lose the trust and confidence of the public and partners.

Officers of the Lanarkshire Assessor and Electoral Registration Officer must ensure that they comply with the requirements of the GDPR and data protection law.

GDPR and data protection law doesn't guarantee personal privacy at all costs, but aims to strike a balance between the rights of individuals and the sometimes competing interests of those with legitimate reasons for using personal information. It applies to some paper records as well as computer records.

**Personal data**
The GDPR applies to 'personal data' meaning any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier.

This definition provides for a wide range of personal identifiers to constitute personal data, including name, identification number, location data or online identifier, reflecting changes in technology and the way organisations collect information about people.

The GDPR applies to both automated personal data and to manual filing systems where personal data are accessible according to specific criteria. This could include chronologically ordered sets of manual records containing personal data.

Personal data that has been pseudonymised – for example key-coded – can fall within the scope of the GDPR depending on how difficult it is to attribute the pseudonym to a particular individual.

**Special category personal data**
The GDPR defines "special category personal data" as personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

**Special category data at a glance**
Special category data is personal data which the General Data Protection Regulations (GDPR) says is more sensitive, and so needs more protection. In order to lawfully process special category data, we must identify both a lawful basis under GDPR **and** a separate condition for processing special category data.

**Notification**
The Lanarkshire Assessor and Electoral Registration Officer is a registered Controller. This means that it has notified the purposes for collecting and holding this data to the Information Commissioner. It is illegal to use personal data for any other purpose.

**Principles**
The GDPR sets down rules that The Assessor and Electoral Registration Officer must follow when collecting and using personal data. These rules are called the Data Protection Principles.

To comply with the Data Protection Principles, The Assessor and Electoral Registration Officer must make certain that all personal data is:

1. processed lawfully, fairly and in a transparent manner
2. collected for specified, explicit and legitimate purposes
3. adequate, relevant and limited to what is necessary
4. accurate and up to date
5. kept in a form which permits identification of data subjects for no longer than is necessary
6. processed securely

**Processing**
This means collecting, amending, handling, storing or disclosing personal information.

**Strategy**
The Assessor and Electoral Registration Officer appreciates that there must be checks in place to make sure that it treats all personal data correctly.

The Lanarkshire Assessor and Electoral Registration Officer will apply this policy in all of its activities. The Lanarkshire Assessor and Electoral Registration Officer as a whole has responsibility for compliance with the GDPR and Data Protection Law. However, it places specific responsibilities on:

1. the Assessor and Depute Assessor, who are to implement and enforce this policy across the Assessor and Electoral Registration Office.
2. line managers, who are to make sure that their staff are aware of and comply with their responsibilities
3. Individual staff members, who are to comply with their responsibilities; and
4. the Administration Manager, who is to
    a. give training, guidance and advice on how to interpret GDPR and Data Protection Law and
    b. check the effectiveness of this policy and related procedures across the Assessor and Electoral Registration Office.

**Controls**
The office of the Lanarkshire Assessor and Electoral Registration Officer will:

1. when collecting personal data, make sure that we tell individuals why we are collecting their personal data;
2. explain what the lawful basis and purpose for collecting the data is
3. only collect and use such personal data that it needs;
4. make sure personal data is kept accurate and up to date;
5. make sure that individuals can exercise their rights. These include the right to
    a) The right to be informed about our processing of your personal data
    b) The right to have your personal data corrected if it's inaccurate and to have incomplete personal data completed (right to rectification)
    c) The right to request access to your personal data and information about how we process it
    d) The right to have your personal data erased (the "right to be forgotten")
    e) The right to restrict processing of your personal data
    f) The right to object to processing of your personal data

g) The right to move, copy or transfer your personal data ("data portability")
h) Rights in relation to automated decision making including profiling

6. Make sure that out of date personal data is destroyed in accordance with agreed retention schedules;
7. Take appropriate technical and organisational security measures to safeguard personal data.

**The Electoral Register**
The production of a Public Register such as the Electoral Register is exempt from the Notification process. However, the Lanarkshire Assessor and Electoral Registration Officer has included the Electoral Register as a purpose within its Notification.

**The Information Commissioner's view**
The Commissioner believed that because individuals are required by law to supply personal information for the electoral register, and they commit a criminal offence if they do not, any non-electoral uses of the information should be kept to a minimum.

**There are two version of the Register:**
The Electoral Registration Officer makes and keeps two versions of the register - the electoral register and the open register.

**The Electoral Register**
The electoral register lists the names and addresses of everyone who is registered to vote in public elections. The register is used for electoral purposes, such as making sure only eligible people can vote. It is also used for other limited purposes specified in law, such as:

1. detecting crime (e.g. fraud)
2. calling people for jury service
3. checking credit applications

**The Open Register**
The open register is an extract of the electoral register, but is not used for elections. It can be bought by any person, company or organisation. For example, it is used by businesses and charities to confirm name and address details.

Your name and address will be included in the open register unless you ask for them to be removed. You can do this when you are registering to vote. Removing your details from the open register does not affect your right to vote.

Should you wish to remove your name from the open register you can either email us at ero@lanarkshire-vjb.gov.uk, including your name and address, or phone us on 0800 030 4333. Please note, each elector must opt-out individually – therefore we cannot accept multiple requests from a single person.

**Privacy Notice**
Our privacy notice provides detailed information on our purpose and lawful basis for processing, categories of personal data processed and individual's rights. It is available on our website www.lanarkshire-vjb.gov.uk

You can get details of the Lanarkshire Assessor and Electoral Registration Officer notification to the Information Commissioner and information on the APA published by the Information Commissioner at www.ico.gov.uk.

**How to contact us**
Requests for information about this privacy notice can be emailed to assessor@lanarkshire-vjb.gov.uk or you can contact us at the address and telephone number below:

**Data Controller**: Jacqueline Dell: Assessor and Electoral Registration Officer

**Data Controllers representative:** Michelle Watson

**Contact address:** David Dale House
45 John Street
BLANTYRE
G72 0AA
Email:assessor@lanarkshire-vjb.gov.uk
Telephone: 01698 476000

**Our Data Protection Officer is:** Mandy Thomson

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16/18 Bank Street
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IV1 1QY
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