



# Fair Processing Notice – Electoral Roll

To hold the General Election of People’s Deputies in June 2020 the States of Guernsey compiled an Electoral Roll of registered voters. The information held on the roll was used to administer the election and record who voted in the election, both in person and by use of a postal vote. The Electoral Roll is a public record and all sections can be inspected upon request during periods specified by legislation at designated locations within the Bailiwick and is routinely available upon request when attending at Sir Charles Frossard House. A copy of the Electoral Roll is also published for inspection during the same period as above at the Douzaine Room or Constables Offices of each parish.

Registration on the Electoral Roll can be either public, or in limited circumstances, anonymous. For those individuals who have been accepted for anonymous registration, their personal details will not be available on the public Electoral Roll.

The general election is administered by the Office of the Committee *for* Home Affairs under the responsibility of the Registrar-General of Electors. The Registrar-General of Electors is the Data Controller for matters relating to the Electoral Roll.

## 1. The Data Protection Law

The Registrar-General acknowledges his obligations under the Data Protection (Bailiwick of Guernsey) Law, 2017 (the Law) which provides a number of requirements in terms of processing activities involving personal data. The Registrar-General further acknowledges the general principles of processing as well as the rights of a data subject, and more information in relation to these provisions can be found at [www.gov.gg/dp](http://www.gov.gg/dp).

## 2. The Principles of Processing

### **a. Lawfulness, fairness and transparency**

*Personal data must be processed lawfully, fairly and in a transparent manner.*

The purpose of collecting the data is to discharge the responsibilities of the Committee *for* Home Affairs and the States Assembly and Constitution Committee in relation to the Electoral Roll and delivery of elections under the provisions of the Reform (Guernsey) Law 1948, as amended. Personal data used for the purposes of the Electoral Roll is collected in one of five ways:

- Through a paper application form available to each household in Guernsey – in these circumstances one member of the household is required to complete the form on behalf of all eligible voters who wish to register. In this way, you may either be the individual providing your data directly or you may be an individual whose data is provided indirectly by that other person in your home.
- Through the on-line application form – you can only register as an individual and therefore your personal data will be collected directly.
- Through the anonymous registration paper application form – a single application is required per applicant and therefore your personal data is collected directly from you.
- Through the prisoner registration paper application form – a single application is required per applicant and therefore your personal data is collected directly from you.

For all methods of registration the following data is collected:

- name
- address
- date of birth
- telephone number (optional)
- email address (optional on hard copy registration form)

Additional information will be required if you are applying for anonymous registration:

- A document (attestation) signed by a nominated professional confirming that your safety would be compromised if your details were included on the public Electoral Roll.

Your data is processed in accordance with conditions 5 and 8 of Schedule 2 of the Law which state:

- The processing is necessary for the exercise or performance by a public authority of a function that is of a public nature, or a task carried out in the public interest.
- The processing is necessary for the controller to exercise any right or power, or perform or comply with any duty, conferred or imposed on the controller by an enactment.

### **Personal Data Use and Sharing – Public Electoral Roll Registration**

Your personal data will be used and shared as follows:

- By secure means with external data processors to assist in the production of the Electoral Roll for the purposes of the efficient administration of General Elections, by-elections and Parish elections.
- With election candidates for the purposes of election campaigning in accordance with the provisions of the Electoral Roll (Availability) Rules, made under the Reform (Guernsey) Law 1948 as amended, and may be used by them to provide you with manifesto materials direct to your address. Each candidate will be required to

register as a Data Controller with the Office of the Data Protection Authority before being supplied with any copies of the published Electoral Roll.

- With polling stations to administer the election process by recording the individuals who vote either in person or otherwise to record the use of a postal vote.
- Your name and address will be published in the public Electoral Roll. The published Electoral Roll is made available for inspection by any person during periods specified by legislation at designated locations within the Bailiwick and is routinely available upon request when attending at Sir Charles Frossard House.
- Your address may be shared with businesses to facilitate the distribution of information about each candidate.
- Your name and address will also be used to provide other material about the election process such as voter registration cards or postal voting.
- A full copy of the closed Electoral Roll may be provided to the Island Archive for historical reference purposes.

Your date of birth, telephone and email contact details will be used for administrative purposes only and **will not** be included on the Published Electoral Roll.

### **Personal Data Sharing – Anonymous Electoral Roll Registration**

Section 34A of the Reform (Guernsey) Law 1948 (as amended) provides for a person to apply to the Registrar-General for their name and address to be omitted from the published Electoral Roll. If the Registrar-General is satisfied that the person, their family or property, would be at risk of harm if their name and address were published then the Registrar-General will grant the application and take all reasonable steps to ensure their name and address are omitted from the published Electoral Roll and the Electoral Roll used at the Polling Stations on voting days.

Your personal data will be used and shared as follows:

- Held in a secure file by the Registrar-General of Electors. You will be allocated with a unique reference number which will appear on the Electoral Roll instead of your name and address.
- To provide you with materials for postal voting if you opt to vote in this way when registering.

If you have registered on the Electoral Roll but have successfully applied to the Registrar-General of Electors to have your name omitted from the Published Electoral Roll, then you will not receive any communication originating from the information held on the Electoral Roll, other than for postal voting and your data will not be shared with election candidates.

### **b. Purpose limitation**

*Personal data must not be collected except for a specific, explicit and legitimate purpose and, once collected, must not be further processed in a manner incompatible with the purpose for which it was collected.*

The Registrar-General acknowledges his responsibility with regards to this data protection principle and therefore the Registrar-General maintains that he will not further process that personal data in a way which is incompatible to its original reason for processing as specified in section 2a, unless he is required to do so by law. The personal data will not be transferred to a recipient in an authorised or an unauthorised jurisdiction (as per the definition within data protection law).

### **c. Minimisation**

*Personal data processed must be adequate, relevant and limited to what is necessary in relation to the purpose for which it is processed.*

The Registrar-General maintains that he will only process the personal data which is detailed in section 2a, and will not process any further personal data that is not necessary in relation to the original reason for processing personal data as specified in section 2a, unless he is required to do so by law.

### **d. Accuracy**

*Personal data processed must be accurate, kept up-to-date (where applicable) and reasonable steps must be taken to ensure that personal data that is inaccurate is erased or corrected without delay.*

The Registrar-General will ensure that all personal data that he holds is accurate and kept up-to-date, and any personal data that is inaccurate will be erased or corrected without delay in accordance with the provisions of the law or ordinance as applicable.

The published Electoral Roll is made available for inspection by the public at times specified by legislation to provide the opportunity for an individual to review the information held about them and report any inaccuracies to the Registrar-General. Registration cards will be sent to each registered voter detailing their name and address and providing the opportunity for the details to be checked and any errors to be reported to the Registrar-General.

### **e. Storage limitation**

*Personal data must not be kept in a form that permits identification of a data subject for any longer than is necessary for the purpose for which it is processed.*

Personal data and special category personal data will be retained in electronic format for the lifetime of the Electoral Roll in accordance with the States of Guernsey Records Management Policy and the Committee for Home Affairs (CfHA) Retention and Disposal Schedule.

Electronic data will be retained in the Electoral Roll database until the Electoral Roll is closed by ordinance made under the provisions of the Reform (Guernsey) law 1948 as amended. A hardcopy of the closed Electoral Roll may be submitted to the Island Archive for historical reference.

## **f. Integrity and confidentiality**

*Personal data must be processed in a manner that ensures its appropriate security, including protecting it against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.*

Personal data is held in hard copy and electronic format.

**Information Access** – access to electronic or paper records is tightly controlled. Employees are vetted in a manner commensurate with the role that they are expected to undertake. Protocols are followed to ensure that employees only have access to areas and documents as required to undertake their role. Access is monitored and effectively managed. Physical security is monitored and managed.

**Information Security** – the Registrar-General adopts and implements the information security standards of the States of Guernsey.

## **g. Accountability**

The Registrar-General is responsible for, and can demonstrate compliance with the data protection principles.

The contact details of the Registrar-General are as follows:

The Committee *for* Home Affairs  
Tel: 01481 227353 or 01481 227337  
Email: [homeaffairs@gov.gg](mailto:homeaffairs@gov.gg) or [elections@gov.gg](mailto:elections@gov.gg)

The contact details for the Data Protection Officer of the Committee *for* Home Affairs:

Data Protection Officer, the Committee *for* Home Affairs  
Tel: 01481 220012  
Email: [data.protection@gov.gg](mailto:data.protection@gov.gg)