

Inspecting council records as ERO | Electoral Commission

Data protection guidance for Electoral Registration Officers and Returning Officers

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Inspecting council records as ERO

As ERO, you will need to demonstrate that all information obtained from inspecting council records or disclosed by your council complies with the principles of processing personal data, ensuring that it is processed lawfully, fairly and in a transparent manner. Maintaining records will help you to demonstrate that you are complying with your obligations under data protection and electoral legislation.

1 You should keep a record of: the records to be checked a schedule of when those checks are carried out the lawful basis on which you are processing that information.

2 For example, your obligation as ERO to inspect records you are permitted to inspect as part of your duty to maintain the electoral register measures to ensure appropriate security are in place to protect the data, for example: encrypting or password protecting data whenever it is transmitted using secure storage the action you have taken on the basis of the information you have obtained retention and secure disposal of data in accordance with your document retention plan

You should ensure you maintain records of the council records you inspect, and should have the maintenance of records as a clear part of your overall registration plan.

Further guidance on inspecting council records 3 is contained in our guidance for EROs .

1. Regulation 35 and 35A Representation of the People (England and Wales) Regulations 2001 (RPR (E&W) 2001); Regulation 35 and 35A Representation of the People (Scotland) Regulations 2001 (RPR (S) 2001) ■ Back to content at footnote 1

2. Section 9A of the Representation of the People Act 1983 (RPA 1983) provides the statutory basis by which you process personal data obtained through council records ■ Back to content at footnote 2

3. Regulation 35 and 35A RPR (E&W) 2001; Regulation 35 and 35A RPR (S) 2001 ■ Back to content at footnote 3

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