

Returning Officer's Privacy Statement

The Returning Officer for Dublin Bay South constituency is responsible under electoral law for the conduct of Dáil elections and for taking the poll and counting the votes at Presidential and European Parliament elections and referendums.

The Returning Officer is committed to protecting and respecting your privacy. This privacy statement explains how the Returning Officer, as the Data Controller, will process the personal data provided to him or her in respect of elections and referendums; how that information will be used, and what rights you may exercise in relation to your personal data.

Categories of personal data

The Returning Officer processes the following personal data:

- name, gender, address, occupation, political party (if any) in relation to candidates;
- name, address, electoral number, phone number, and signature and official stamp of witness, in relation to assentors who complete statutory declaration;
- name, address and electoral number in the case of a proposer;
- name and address in relation to election agents, personation agents;
- name, address, PPSN, phone number and bank details in relation to polling and count staff;
- name, address and electoral number of registered voters in relation to the issue of polling information cards;
- name and address of postal voters,
 - including rank and number in the case of a member of the Defence Forces,
 - including the name of the embassy, mission or consulate in the case of a diplomat serving abroad,
 - including signature and rank of Garda for voters who need declaration of identity witnessed by a Garda,
 - including name and address of the prison, signature and rank of prison official, or, in some circumstances, signature and rank Garda, for prisoner voters,
- name, address and number on special voters list for special voters;

- name, address and electoral register number for authorising of certain voters to vote at alternative polling station;
- name, address and electoral register number for authorising of certain staff to vote at alternative polling station;
- name, address, date of birth and phone number for authorising of certain staff to be entered on the supplement to the postal voters list;
- marked copies of the register of electors.

Purposes of the processing

The Returning Officer will use the information provided in order to

- administer the nomination process;
- publish the notice of nomination of candidates/withdrawal of candidates;
- publish the notice of poll;
- print the ballot papers;
- issue polling information cards;
- appoint polling and count staff;
- administer the postal and special voting process;
- authorise the change of polling station for certain voters;
- publish the notice of the result of the election.

The Returning Officer will not process your personal data for any purpose other than that for which it was collected. The provision of your personal data is a statutory requirement in order to allow the Returning Officer to administer elections and referendums.

Profiling

The Returning Officer will not use any personal data collected from you for automated decision-making, or for profiling purposes.

Lawfulness of processing

This processing of your personal data is lawful under

- Article 6 (1)(c) of Regulation (EU) 2016/679 (GDPR),

- the Data Protection Act 2018 (section 38),
- the Electoral Act 1992, as amended,
- the Electoral Act 1997, as amended,
- the European Parliament Elections Act 1997, as amended,
- the Presidential Elections Act 1993, as amended, and
- the Referendum Act 1994, as amended.

Security of your personal data

The Returning Officer implements appropriate technical and organisational measures to protect your information from unauthorised access. However, despite these efforts, no security measures are perfect or impenetrable, and no method of data transmission can be guaranteed against any interception or other type of misuse.

Recipients of the data

Personal data may be exchanged with other public bodies, in certain circumstances where this is provided for by law.

How long will your data be kept?

The Returning Officer will only retain your personal data for as long as it is necessary for the purposes for which it was collected and processed. Following the declaration of the results of an election or a referendum, all documents relating to such election or referendum are placed in sealed packets and sent to the Clerk of the Dáil, or the Presidential Returning Officer or the Chief European Returning Officer or the Referendum Returning Officer. The documents are then securely stored, and disposed of 6 months after the election or referendum unless directed otherwise by an order of the High Court in accordance with section 129 of the Electoral Act 1992, section 54 of the Presidential Elections Act 1993, Rule 93 of the Second Schedule of European Parliaments Act 1997 or section 38 of the Referendum Act 1994.

Your rights

You have the right to request

- A copy of data we hold about you (Right of Access)
- That any error in data we hold about you is corrected (Right of Rectification)

Complaints

If you are not satisfied with the outcome of the response you received from the Returning Officer in relation to your request, then you are entitled to make a complaint to the Data Protection Commission who may investigate the matter for you. The Data Protection Commission's website is www.dataprotection.ie or you can contact their Office at:

Lo Call Number: 1890 252 231

E-mail: info@dataprotection.ie

Postal Address: Data Protection Commission, Canal House, Station Road, Portarlinton, Co. Laois. R32 AP2

Contact Us

If you require further information, or wish to access your personal data, please contact the Returning Officer, details below:

Joseph Burke

54 Fitzwilliam Square North

Dublin 2

Date: 23rd June 2021