

**The City of Edinburgh  
Council**

**Nomination Pack  
Ward 8  
Colinton/Fairmilehead  
By-election  
14 November 2024**

**Elections**  
**Edinburgh 2024**

[www.edinburgh.gov.uk/elections](http://www.edinburgh.gov.uk/elections)

### Information for Prospective Candidates

Please find enclosed nomination materials for the local government by-election taking place on **Thursday 14 November 2024** to fill a vacancy in Ward 8 of the City of Edinburgh Council, Colinton/Fairmilehead. The vacancy has arisen following the resignation of Professor Scott Arthur who was recently elected as the Member of Parliament for the Edinburgh South West constituency in the UK Parliament. The two councillors that remain in this multi-member ward, elected in May 2022, are Councillors Jason Rust representing the Scottish Conservatives and Marco Biagi representing the Scottish National Party (SNP). Results from 2022 are [here](#) and as [an animation here](#).



The by-election is run in accordance with the Scottish Local Government Elections Order 2011 as amended which sets out the rules for the event. This pack includes all the forms that need to be completed by anyone wishing to stand as a candidate, and a range of useful background information about the whole by-election process.

#### Briefing Session

A Candidates and Agents' Briefing Session will take place ahead of the by-election, but the date is yet to be fixed. The session will provide further information about the election and will be an opportunity to ask any questions you may have about the arrangements for the by-election. It will also be a time for any general queries you may have about the work of the council or the role of a councillor.

#### Delivery of nomination papers

Nomination papers must be submitted by hand. The Elections Team will be available to accept the nomination papers between **10am and 4pm** from **Friday 27 September** until **4pm on Monday 14 October 2024 (on working days only)**. Nominations will be taken within the City Chambers, High Street, Edinburgh EH1 1YJ.

To arrange an appointment to submit your papers, please email [elections@edinburgh.gov.uk](mailto:elections@edinburgh.gov.uk) and one of the team will work with you to arrange a suitable time. **As explained below we encourage you to submit your papers electronically first to allow us to do a pre-submission check. You can scan them or take a photo of the paper, or we can chat through them in person.**

All completed nomination papers must be delivered by **4pm on Monday 14 October 2024**. If you require further information about any aspect of the election, please do not hesitate to contact my team. Chris Highcock, Depute Returning Officer on 0131 469 3126 (email [elections@edinburgh.gov.uk](mailto:elections@edinburgh.gov.uk)) will be pleased to provide information and support to help you in any element of the election.

#### Paul Lawrence

Returning Officer for the City of Edinburgh Council

*Further information about all aspects of the election is available on the Council website at [www.edinburgh.gov.uk/elections](http://www.edinburgh.gov.uk/elections)*

### *The Returning Officer*

The Returning Officer (RO) is responsible for the conduct of the poll and the counting of votes afterwards. A team organises and administers the election on behalf of the Returning Officer.

The City of Edinburgh Council has appointed the Chief Executive of the Council to be the Returning Officer for the election of councillors to the authority. The Returning Officer is **Paul Lawrence** and he is ultimately responsible for this by-election.

On a day-to-day basis the by-election will be delivered by a team led by:

Chris Highcock  
Depute Returning Officer  
City of Edinburgh Council Elections Office,  
City Chambers  
249 High Street  
Edinburgh  
EH1 1YJ

0131 469 3126 Mobile: 07568 102 648  
[chris.highcock@edinburgh.gov.uk](mailto:chris.highcock@edinburgh.gov.uk)

### *Electoral Commission Guidance*

Candidates and Agents should refer to the Electoral Commission's guidance for Candidates and Agents, <https://www.electoralcommission.org.uk/i-am-a/candidate-or-agent/council-elections-scotland> This provides background materials, explains in detail and answers most questions on:

[Can you stand for election?](#)

[Standing as an independent candidate](#)

[Standing as a Party candidate](#)

[Spending and donations](#)

[The campaign](#)

[Your right to attend key electoral events](#)

[After the declaration of results](#)

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***Timetable for the Ward 8 Colinton/Fairmilehead By-Election 14 November 2024***

*Please be aware that the timetable may change in the event of days being appointed for public thanksgiving or mourning.*

<b>Event</b>	<b>Working days before poll (deadline if not midnight)</b>	<b>Date</b>
Publication of notice of election	Not earlier than the thirty-fifth day before the date of the poll and not later than the twenty-eighth day before the date of the poll	Thursday 26 September
Delivery of nomination papers	Not later than 4pm on any working day from the day after the publication of notice of election until 4pm on the twenty-third day	Not later than 4pm on any working day after the publication of the notice of election until 4pm on Monday 14 October
Deadline for withdrawals of nomination	23 days (4pm)	4pm on Monday 14 October
Deadline for the notification of appointment of election agents	23 days (4pm)	4pm on Monday 14 October
Publication of notice of poll, including situation of polling stations	As soon as practicable after the deadline for withdrawals	As soon as practicable after 4pm on Monday 14 October
Dispatch of poll cards to electors	As soon as practicable after the issue of notice of election	Tuesday 15 October
Publication of the first interim notice of alteration	23 days	Monday 14 October
Deadline for receiving applications for registration	12 days	Tuesday 29 October (midnight)
Deadline for receiving new postal vote and postal proxy applications, and for changes to existing postal or proxy votes	11 days (5pm)	5pm on Wednesday 30 October
Dispatch of postal ballot packs		Friday 1 November
Deadline for new applications to vote by proxy (not postal proxy or emergency proxies)	6 days (5pm)	5pm on Wednesday 6 November

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Event	Working days before poll (deadline if not midnight)	Date
Deadline for notification of appointment of polling and counting agents	5 days	Thursday 7 November
<b>POLLING DAY</b>	0 (7am to 10pm)	<b>7am to 10pm on Thursday 14 November</b>
Last time that electors can apply for a replacement for a lost and spoilt postal vote	0 (10pm)	10pm on Thursday 14 November
Deadline for emergency proxy applications	0 (5pm)	5pm on Thursday 14 November
Last time to alter the register due to clerical error or court appeal	0 (9pm)	9pm on Thursday 14 November
<b>Verification and count</b>		<b>Friday 15 November</b>
Latest date for candidates to submit their return and agent declaration	35 calendar days	Friday 20 December

### *Candidate And Election Agents – Guidance Notes*

#### **Elections Office contact details**

The Elections Office is located in the City Chambers, High Street, Edinburgh EH1 1YJ. The main telephone number is 0131 469 3126. If you are visiting the Elections Office, please call at the Reception of the City Chambers. **Please DO NOT deliver election notices or forms to the Council Headquarters at Waverley Court.**

#### **Election Office hours**

Staff in the Elections Office will be available to help you with any difficulties or queries during normal office hours.

**Please note that nominations themselves can only be taken between 10am and 4pm on any working day between 27 September and 14 October 2024.**

#### **Electoral Registration enquiries**

Enquiries about electoral registration and applications for postal or proxy votes are dealt with by the Electoral Registration Officer, 17A South Gyle Crescent, Edinburgh, Telephone: 0131 344 2500, [enquiries@lothian-vjb.gov.uk](mailto:enquiries@lothian-vjb.gov.uk)

### *Important Information About Lodging a Nomination*

For local government elections in Scotland, nomination papers may be lodged by **anyone** – they do not need to be delivered by the candidate or election agent.

Forms must be returned to the Elections Office at the City Chambers. **Please telephone 0131 469 3126 or email [elections@edinburgh.gov.uk](mailto:elections@edinburgh.gov.uk) to arrange a suitable time for a member of the Election Team to take your nomination papers or otherwise help with them.** This will ensure that we can give you the best attention and that you do not have to wait until a member of the team is free.

You are responsible for making sure your information is correct. We can help by checking your papers informally before you formally submit your nomination. Our informal checks help you by trying to spot any errors early in the process. They help to avoid a situation where voters are not able to vote for you or your party because of a problem with the nomination.

**To arrange an informal check, please contact the Elections Office. Informal checks will generally be undertaken electronically if you are able to send a scan of your papers to the office. Otherwise we can spend time going through the papers with you in person before you formally submit them. It is strongly advised that this is not left until the deadline day!**

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We will let you know what we are doing when we check your papers informally. At the end of the informal check, if we find a problem, we will offer them back to you. Occasionally, nomination papers cannot be accepted and new or amended papers are required in order to meet statutory requirements.

It is in your own interest to make sure that you submit nomination papers in good time ahead of the deadline in case new or amended papers are needed. If we do not find a problem, we will offer to accept them formally.

### *Candidate Checklist and Nomination Forms*

The [candidate checklist](#) and nomination forms should all be downloaded from the Electoral Commission website or paper copies can be provided by the Election Team if requested.

### [Nomination papers - Scottish Local Government Elections \(must be printed out\)](#)

#### **You must print off the forms in this pack before submitting them**

##### **The following forms must be delivered by hand:**

- 1: Nomination form, including consent to nomination
- 2: Home address form (part 1 and part 2)

##### **The following papers can be delivered by hand or by post:**

- 3: Certificate of authorisation (party candidates only)
- 4: Request for a party emblem (party candidates only)
- 5: Notification of election agent

The Notice of Election published by the Returning Officer, on 26 September, will specify the times and exact location to which nomination papers must be delivered.

Please ensure that where signatures are required, you submit the **original signed version** of each completed paper. Documents without original/"wet" signatures cannot be accepted.

### **OTHER FORMS TO COMPLETE AND SUBMIT AND FURTHER INFORMATION**

[Nomination papers - Scottish Local Government Elections - must be printed off \(DOC\)](#)

[Withdrawal form SLG \(DOC\)](#)

[Secrecy requirements the poll local government election in Scotland](#)

[Tellers guidance](#)

[Code of Conduct for Campaigners](#)

[Polling agent appointment form \(DOC\)](#)

[Postal voting agent appointment form \(DOC\)](#)

[Counting agent appointment form \(DOC\)](#)

[Secrecy requirements - the poll \(DOCX\)](#)

[Secrecy requirements - postal voting \(DOCX\)](#)

[Secrecy requirements - the count SLG \(DOC\)](#)

[Tellers' dos and don'ts \(PDF\)](#)

[Tellers guidance](#)

### **General Data Protection Regulation (GDPR)**

Data protection legislation applies to the processing of all personal data. Please contact the [Information Commissioner's Office](#) for further information about how the legislation affects you. The lawful basis to collect the information in these forms is that it is necessary for the performance of a task carried out in the public interest and exercise of official authority as set out in the Representation of the People Act 1983 and associated regulations.

The information will be processed by the Returning Officer. For further information on data protection and data processing, you should refer to the Returning Officer's privacy notice on their website.



### *Request For Register of Electors and Absent Voters*

Candidates can request a copy of the register of electors for the Ward. A form for this – **noting that the register can be used for electoral purposes only** - can be downloaded from our website in the section **Information for Candidates and Agents** section.

Following the valid nomination of the prospective candidate, the form will be countersigned by a member of the Returning Officer's staff and forwarded to the Electoral Registration Officer. A free copy of the relevant electoral register will then be supplied, in electronic format.

Queries about registration should be referred to the Electoral Registration Officer's office at 17a South Gyle Crescent, Edinburgh EH12 9FL. Email enquiries@lothian-vjb.gov.uk or telephone 0131 344 2500. <https://www.lothian-vjb.gov.uk/electoral/>

### *Statutory Provision For Use of Schools and Rooms*

Under Section 96 of the Representation of the People Act 1983, a candidate at a local government election is entitled to use rooms in school premises and other publicly maintainable meeting rooms, free of charge to hold public meetings at reasonable times of the day and these must be booked by the candidate. This right applies during the period between the publication of the notice of election (26 September 2024) and the day prior to the day of the election itself (14 November 2024).

If you require further information or want to find out about booking rooms then please contact the Depute Returning Officer [chris.highcock@edinburgh.gov.uk](mailto:chris.highcock@edinburgh.gov.uk) 0131 463 3126.

### *Limits On Candidates' Election Expenses*

A table showing the basis for the calculation of election expenses for each ward is shown below. Please note that the electorate figure used to calculate the figures is based on the Register as at 7 October 2024.

If you are successfully elected, you must return the record of your election campaign spending expenses by 35 days after the declaration of result (20 December). If election expenses are not returned by this date you will be liable for a fine of £50 for every day that you sit or vote.

Queries about election expenditure are best directed to the Electoral Commission who monitor and regulate this area. Our role is only to collect the records from you after the election and make them available for public inspection.

If you have any queries, contact The Electoral Commission, Tel. 0131 225 0210

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The amount given below is based on a lump sum of £806 plus 7p for every entry in the register of electors as at **7 October 2024** - the register in force on the last day for publication of the Notice of Election and is the figure you should use for the calculation of your expenses.

It must be stressed that these amounts are maximum amounts and that, in addition to verifying the relevant calculation given below (the accuracy of which is not guaranteed), candidates and their election agents must ascertain the amounts applicable to themselves by reference to the relevant legislation.

<b>Ward</b>	<b>No of Entries in the register on 7 October 2024</b>	<b>Amount per entry in register</b>	<b>Plus lump sum</b>	<b>Total Expenses Limit</b>
<b>Ward 6 - Corstorphine/Murrayfield</b>	<b>To be confirmed but currently 19,226</b>	<b>7p</b>	<b>£806</b>	<b>Approximately £2152</b>

### *List of Polling Places*

Polling Place	Polling District(s)
Charwood	SP08D:
Fairmilehead Parish Church Hall	SP08G:
St. Cuthbert's Episcopal Church Hall	SWP08A:
Oxgangs Neighbourhood Centre	SWP08B: SWS08H
Pentland Community Centre	SWP08C: SWP08F
Dreghorn Loan Church Hall	SWP08E:

### *Map of Ward*

A map showing the boundary of the ward is available from Boundaries Scotland site at [Colinton/ Fairmilehead](#)

An interactive map showing polling districts and polling places is available at [Find My Polling Place - UK Parliament Election 2024 \(arcgis.com\)](#) – the polling districts and places are the same as those in force at the recent UK Parliamentary General Election.

### *Electoral Commission's Code of Conduct For Campaigners*

The Returning Officer's Election Team cannot give you any legal or other advice about how you or your team conduct your election campaign or about how you behave during the campaign.

The Returning Officer only runs the election, he does not "police" or regulate it. If you have any specific concerns about the behaviour of any candidates or how they are campaigning then you should contact either Police Scotland or the Electoral Commission, as appropriate.

Please refer to the Electoral Commission's [Code of Conduct for Campaigners](#)

### *Posters And Signage*

You must not put up any posters or campaign publicity material on street furniture or lampposts. If you do, then they will be removed, and you may be charged with the costs of removal.

The decision to prohibit election posters and signage on street furniture and lampposts was taken by the City of Edinburgh Council on **2 June 2011**.

Any such posters found on street furniture and lampposts will be removed. The political party or independent candidate responsible for the erection of such posters may be charged by the Council for the posters' removal.

### *On-Street Advertising Structures: Citywide Ban on 'A' Boards and Other Temporary Adverts*

On 17 May 2018, the Transport and Environment Committee approved a citywide ban on all temporary on-street advertising structures, such as advertising boards, also known as 'A' boards. This is primarily to improve pedestrian safety and accessibility. The ban came into force on Monday 5 November 2018.



Examples of some of the types of temporary on-street advertising that are included under the ban are shown above.

#### **Exemption for Elections on Polling Day**

There is a special dispensation for the use of A-Boards associated with elections on polling days. The terms of use are:

- Use only during the hours of polling – 7am-10pm;
- Sited off the pavement whenever possible;
- Sited to avoid any obstruction to pedestrians; and
- Sited to avoid any obstruction to access to the polling place.

Reporting a breach: If you would like to report a breach please email [aboards@edinburgh.gov.uk](mailto:aboards@edinburgh.gov.uk)

### *Chalk Paint Stencils on Pavements*

A campaign at the Scottish Parliament election in May 2021 used “chalk paint” stencilled on pavements as “campaign posters” to replace A boards. In some cases, these were posted inappropriately within the boundaries of buildings, on an entrance ramp or outside private venues.

While removed soon after polling, these stencils prompted many complaints to the Election Office, with the public concerned that they would be permanent. This absorbed a lot of time from the Election Team who were already busy. More importantly some private venues used as polling places were very unhappy at the use of these stencils and were initially unwilling to be used this year to avoid the problems that arose.

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*We already struggle to identify and retain polling venues and do not wish to put any at risk. While we cannot ban the use of chalk on pavements etc. we would ask that such marks are not used in future.*

### Agents - People That You Can Appoint To Help You In The Election

#### Election Agent

If an election agent is appointed, this must be done by 4pm Monday 14 October 2024.

#### Polling Agents

You can appoint Polling Agents to visit polling stations on Polling Day. Their role is to help detect and prevent the offence of “personation” (where someone attempts to vote illegally by pretending to be another person).

You must appoint any Polling Agents by informing us in writing by Thursday 7 November 2024. [The form to use can be downloaded from the Electoral Commission](#). You can appoint any number of polling agents to attend each polling station, but only one polling agent for each candidate can be present in a polling station at any time. A polling agent can be appointed to attend multiple polling stations.

The Election Team will contact your Election Agent about the appointment of polling agents as soon as possible after the close of nominations.

Polling Agents must abide by the [Requirement for Secrecy](#). This is a very serious matter and any breaches may be investigated by Police Scotland and could result in fines or imprisonment.

#### Postal Vote Agents

You can appoint Postal Vote Agents to attend the opening of the Postal Votes. They will be informed in writing of the timings of these sessions. [The relevant form is here](#).

The number of agents who may be appointed will be confirmed in a formal notice about the opening of Postal Votes. Agents at Postal Vote openings must abide [by the Requirement for Secrecy](#). This is a very serious matter and breaches may be investigated by Police Scotland and could result in fines or imprisonment.

#### Counting Agents

You can appoint Counting Agents to attend the counting of the votes. Again, this must be done in writing and you need to use the form given in the nomination pack. Their role is to make sure that the Count is being conducted properly, scrutinising the processes as the “eyes and ears” of the voter.

Soon after the Closing Date for nominations (4pm **Monday 14 October 2024**), the Election Team will let you know how many Counting Agents you will be allowed to appoint. We may need to control the number of Agents if the venue cannot safely hold that many people.

You must tell us the names and addresses of your Counting Agents in writing no later than Thursday 7 November 2024 [using the form here](#).

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Counting Agents must abide by the [Requirement for Secrecy](#). This is a very serious matter and breaches may be investigated by Police Scotland and could result in fines or imprisonment.

### *Disability Access Form*

The Disability Access Form available for download on the website enables candidates to provide information about the access needs of themselves or any of their agents / guests, so that appropriate arrangements may be made for access to and evacuation of polling, counting and postal voting venues.

The form also allows candidates to tell us about any special arrangements they would require should they be elected to the City of Edinburgh Council.

**The form does not need to be returned with nomination papers.**

### *Background Information*

#### **The Returning Officer**

The Returning Officer (RO) is Paul Lawrence. He is also the Chief Executive of the City of Edinburgh Council, but that is separate from his role as RO. The RO is personally accountable for all aspects of the administration of the by-election. He is answerable only to the courts, not to the council.

For some day to day elements of his work the RO has appointed Depute Returning Officers (DROs) to exercise some or all of his powers.

#### **Postal Votes**

There will be a single issue of postal votes on 1 November 2024.

Postal Vote processing will be undertaken in the Council Headquarters, Waverley Court, with two sessions. Starting on Wednesday 13 November then on Thursday 14 November there will be opening sessions of the Postal Vote packs that voters have completed and returned. At these openings we only validate the voter's identity. The ballot papers themselves are always kept face down at these sessions. Postal votes are actually counted with all other votes, on 15 November 2024.

**We will issue invitations to attend the Postal Vote opening sessions. These will be issued at least 48 hours in advance.**

#### **Counting of Votes**

We will provide detailed information about the Count following the close of nominations (4pm Monday 14 October). This will include information about the Count Centre facilities, procedures and the standards of behaviour that will be enforced.

The Count for this by-election will be held at the City of Edinburgh Council Headquarters, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. The Count process will start at **9.30am** on 15 November 2024. We will start by opening the boxes of postal votes that have already been received and processed and then move on to the boxes from polling places.

The following people are entitled to attend the count:

- Returning Officer's staff;
- Candidates and one other person chosen by each of them;
- the Candidate's Election Agent;
- any appointed Counting Agents;
- guests invited by the Returning Officer;
- representatives of the Electoral Commission; and
- any accredited Election Observers

We will provide security passes for each of these individuals. These passes should be collected in advance but if necessary, can be issued at the Council HQ reception on the

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morning of the Count. They will only be issued to those on the Count attendance list and photo ID will be needed. Admission to the Count venue will be from 9am.

There are usually representatives of the media in attendance, including journalists.

### *Important Information You Will Need To Consider If You Are Elected*

#### **The Protection of Vulnerable Groups (Scotland) Act 2007**

If you are appointed to certain Council Committees, you will be required to join the Protection of Vulnerable Groups (PVG) scheme as members of these committees will be undertaking regulated work. You may be checked for regulated work with children, protected adults or both depending on the nature of business that the Committee considers. The Protection of Vulnerable Groups (Scotland) Act 2007 provides a definition in schedule 2 of the act of regulated work with children and in schedule 3 of the act of regulated work with adults.

These checks are required not because you might come into contact with children or protected adults but because you may be making decisions that affect these groups. It is an offence for the Council to offer regulated work to someone who is barred and for that person to undertake regulated work if they are barred.

If you are not already a member of the PVG Scheme you will be required to pay a fee of £59 to register for the first time. If you are already a member of the scheme the Council will meet the cost of any checks required in your Committee role.

#### **Working for the Council**

You are disqualified for standing for election in any local authority area if you hold a politically restricted post. An employee who is not in a politically restricted post does not have to resign from employment to stand for election. If a City of Edinburgh Council employee is successfully elected as a Councillor to the City of Edinburgh Council, they must resign the day after they are elected (Monday 18 November as non-working days are not included). An employee from another local authority does not need to resign.

#### **Working for an Arm's Length External Organisation (ALEO)**

The legislation (section 31A of the Local Government (Scotland) Act 1973) also requires an individual who is the "holder of paid office or employment or other place of profit in the gift or disposal of the authority" to resign the day after they are elected. This means that if a successful candidate works for a City of Edinburgh Council ALEO they may be required to resign the day after they are elected.

Audit Scotland define arm's-length external organisations as companies, trusts and other bodies that are separate from the local authority but are subject to local authority control or influence. Control or influence can be through the council having representation on the board of the organisation, and/or through the council being a main funder or shareholder of the organisation.

If you are unsure if this applies to you then you should speak to your employer or seek your own legal advice.

#### **Information required to access Council Systems**



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If you are elected, we will need key information from you to set you up as a user and give you access to Council ICT systems. Following the close of nominations, we will email candidates who are not current councillors to request your national insurance number and establish your email address preference. If you do not provide this information in advance and are elected on 15 November, you will need to bring this information with you to the Count. After the Count we will dispose of the information held for candidates who are unsuccessful.

### **Declaration of Acceptance of Office**

If you are successfully elected, under section 33A of the Local Government (Scotland) Act 1973, you must not act as a councillor until you have signed your declaration of acceptance of office. We have made arrangements for this to take place at the Count on 15 November.

### **Council ID Badge and Official Photograph**

We have made arrangements for successfully elected candidates to have their official photograph taken after the Count. This will be used for a range of official purposes, including the Council's website. You will need to remove any party identification for your official photograph e.g. rosette, lapel badge. We will take a second photograph for your Council ID badge so you will have immediate access to Council buildings.

### PRIVACY STATEMENT FOR REGISTERING CANDIDATES, AGENTS AND CAMPAIGNERS PRIOR TO ELECTIONS AND REFERENDUMS

#### **Overview:**

To help administer elections on behalf of the appointed Returning Officer, we need to collect, store, use, share and dispose of personal information. This is known as data processing.

In processing personal information, the City of Edinburgh Council must comply with the EU General Data Protection Regulation and the Data Protection Act 2018. We refer to this as “data protection legislation”.

When we collect personal data, we must tell you why we need it, and what we will do with it. This information is called a privacy notice.

This privacy notice explains how we process your personal information as a Council.

#### **Who we are:**

The City of Edinburgh Council is a local authority established under the Local Government etc. (Scotland) Act 1994.

Its head office is located at:

Council Headquarters, City of Edinburgh Council,  
Waverley Court, 4 East Market Street Edinburgh EH8 8BG

You can contact our Data Protection Officer by post at this address, by email at: [dataprotectionofficer@edinburgh.gov.uk](mailto:dataprotectionofficer@edinburgh.gov.uk) or telephone 0131 200 2340.

#### **Why do we need your personal information and what do we do with it?**

You are giving us your personal information to allow the Returning Officer to register you as a candidate, agent or campaigner for a forthcoming election or referendum. We also use your information to verify your identity where required, contact you by post, email or telephone and to maintain our records.

#### **Legal basis for using your information:**

We are registering you on behalf of the appointed Returning Officer for this area. You can find more details of our role on our website at

[http://www.edinburgh.gov.uk/info/20032/access\\_to\\_information/572/privacy](http://www.edinburgh.gov.uk/info/20032/access_to_information/572/privacy)  
and <https://www.edinburgh.gov.uk/elections>

Processing your personal information is necessary for the performance of a task carried out in the exercise of official authority vested in the controller. If you do not provide us with the information we have asked for then we will not be able to provide this service to you.

We will not use or share your information for marketing purposes, unless we ask for, and you specifically give us, permission to do so.

### Who do we share your information with?

To provide you with efficient services, we will sometimes share your personal information between teams within the Council, and with external partners and agencies involved in delivering services on our behalf.

The Council may also provide personal information to third parties, but only where it is necessary, either to comply with the law or where permitted under data protection legislation.

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.

We will also generally comply with requests for specific information from other regulatory and law enforcement bodies where this is necessary and proportionate.

We will only share your information with partners or suppliers who have sufficient measures and procedures in place to protect your information and can meet their legal obligations under data protection legislation.

### How long do we keep your information for?

We only keep your personal information for the minimum period amount of time necessary. Sometimes this time period is set out in the law, but in most cases, it is based on the business need.

The Council's Record Retention schedule sets out the retention periods that apply to records for the various elections that we administer.

### Your rights under data protection law:

Under data protection legislation you have certain rights which are set out below.

- **The right to be informed** about how we collect and use your personal information through privacy notices such as this.
- **The right to request information we hold about you.** This is known as a subject access request and is free of charge. We must respond within one month, although this can be extended to three months if the information is complex.
- **The right to rectification.** You are entitled to have your information rectified if it is factually inaccurate or incomplete. We must respond to your request within one month. If we decide to take no action, we will tell you why and let you know about your right of complaint to the UK Information Commissioner.
- **The right to erasure.** You have the right to ask us to delete your information or stop using it. It will not always be possible for us to comply with your request, for example if we have a legal obligation to keep the information. If we decide to take no action, we will tell you why and let you know about your right of complaint to the UK Information Commissioner.

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- **The right to restrict processing.** You have the right to restrict how your data is processed in certain circumstances, for example if the information is not accurate. If a restriction is applied, we can retain just enough information to ensure that the restriction is respected in future. If we decide to lift a restriction on processing, we must tell you.
- **The right to data portability.** If we are processing your personal data with your consent, and it is held in a structured, commonly used, machine readable form, you have a right to ask us to transmit it to another data controller so they can use it. This right does not apply if we process your personal data as part of our public task.
- **The right to object.** You can object to your information being used for profiling, direct marketing or research purposes.

You have rights in relation to **automated decision making and profiling**, to reduce the risk that a potentially damaging decision is taken without human intervention.

To make a subject access request, or to exercise any of your rights, please contact the Information Rights Team at:

City of Edinburgh Council  
Waverley Court (Business Centre 2:1)  
4 East Market Street,  
Edinburgh,  
EH8 8BG  
Email: [foi@edinburgh.gov.uk](mailto:foi@edinburgh.gov.uk) | Tel: 0131 469 6200