

# Privacy Notice for Councillors

Councillor Jacob Flear

Representing Gainsborough East Ward

# Privacy Notice for Councillors

A Councillor will sometimes work with personal information held by West Lindsey District Council as part of their role undertaking Council business; they will also hold and process information in their own right as a Ward Councillor. An example of this is where you directly ask a Councillor to investigate an issue within the District, as opposed to asking West Lindsey District Council.

The Fair Processing Notice below, written from the perspective of and on behalf of your Councillor, details how they will individually handle your personal data in this instance.

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## Why am I collecting your data

As an elected Councillor I am the controller accountable for the processing of personal information in connection with requests received from constituents. This means I need to collect your personal data so that I can process your request for assistance or respond to your enquiry. I will only collect the personal data from you that I need in order to provide you with relevant information, services or support.

## Information collected

When you ask for my help and assistance I will need to collect some information from you.

This will generally include personal information such as your name, address and contact information together with details of your problem or concern.

The law treats some types of personal information you may supply as 'special' because the information requires more protection due to its sensitivity. The categories of 'special' information are:

- racial or ethnic origin
- sexuality and sexual life
- religious or philosophical beliefs
- trade union membership
- political opinions
- genetic and bio-metric data

- physical or mental health
- criminal convictions and offences

It will only be necessary to collect this type of information where it is absolutely necessary and of relevance to the request you are making.

### **The basis for the processing**

The legal bases relied on for processing personal information in relation to responding to requests from constituents is:

- consent or explicit consent of the constituent making the request (or any other relevant persons where this is appropriate)
- necessary in pursuit of my legitimate interests as an elected representative and those of my constituent and it is assessed these interests override any privacy intrusion involved in processing personal data about other individuals
- discharging functions as an elected representative for the purpose of responding to requests from constituents where this is permissible, without explicit consent.

### **Who I will share your information with**

As a Councillor, I may need to pass your personal details, and the circumstances of your query/complaint to Council Officers in order to allow the Council to look into the issue. I will not pass personal details of constituents who contact me to anyone else unless I am required to do so by law or where this is in connection with a criminal investigation.

Where appropriate, I may pass your personal data on to a third-party in the course of dealing with your request or query, such as other local authorities, government agencies, public bodies, health trusts and regulators. Any third parties with whom I may share your data are obliged to keep your details securely, and to only use your data for purposes communicated to you.

In any event, I will not use your personal data in a way that goes beyond your reasonable expectations in contacting me.

If you specifically ask me not to disclose information identifying you to other third parties it is necessary for me to contact, I will try to respect that. However, please be aware that it may not be possible to progress a matter for you on an anonymous basis.

I will never sell your data. However, I may share some of your personal information with third parties to:

- help prevent fraud.
- pursue people or companies who owe money. help business partners, suppliers and sub-contractors to deliver any contract I enter with them or you, on your behalf
- help me if I need additional professional or legal advice on a matter relating to you.
- to improve and optimise the performance of websites and social media accounts. Analytics and search engine providers that I use can collect your data when interacting online. However, they will aggregate and anonymise the information, meaning individuals will not be personally identifiable.
- work out if a grant was successful in achieving its aims. This could be funding from a Government or a grant from a local, regional or national organisation. However, they will aggregate and anonymise the information, meaning individuals will not be personally identifiable.

### **How I will keep your information safe**

Reasonable security measures will be taken to ensure that personal information within my control is protected from accidental loss or alteration, inappropriate access, misuse or theft.

### **Providing accurate information**

I need to hold accurate and up to date information about you so that I can deliver appropriate services. If any of your details change, you need to tell me as soon as possible so that your records can be updated.

I will not:

- use your information for marketing or sales purposes without your prior explicit consent.
- send or store your data abroad unless it meets the requirements of the Data Protection regulations.
- make decisions about you based on automated processing.

## **How long I will hold your data**

I will process your personal data until I have resolved your issue and store electronic data and paper records for a period of no more than four years. This is to allow me to build up case history and to return to your records when further matters arise.

## **Your rights**

You are entitled to the following rights:

- Right of access – you have the right to request a copy of the information that I hold about you.
- Right of rectification – you have a right to correct data that I hold about you if it is inaccurate or incomplete.
- Right to be forgotten – in certain circumstances you can ask for the data I hold about you to be erased from my records.
- Right to restriction of processing – where certain conditions apply you have the right to ask me to restrict [quarantine] my processing of your data.
- Right of portability – in certain circumstances you have the right to have the data I hold about you transferred to another organisation.
- Right to object – you have the right to object to certain types of processing, such as direct marketing.
- Right to object to automated processing, including profiling – you have the right to ask for a decision made on wholly automated basis which legally affects you to be reviewed by a human being.

If you are dissatisfied with how I have used your personal information, you can complain to the Information Commissioner's Office at [casework@ico.org.uk](mailto:casework@ico.org.uk).

## **Contact details**

If you wish to exercise any of your rights including your right to access your personal information, please write or email me at the address given on my 'councillor' page, which can be accessed from the West Lindsey website.