

Mayor and Councillor Privacy Notice

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1. Introduction

This privacy notice sits alongside the Council's top level privacy notice and provides information about how personal data is used by the Elected Mayor and Councillors.

The Mayor and Councillors represent residents as part of their work in the community. In the course of their duties they contact officers of the Council and other organisations on your behalf to investigate your concerns and respond to your enquiries. They are data controllers in their own right, although they do not have to register with the Information Commissioner's Office.

Any personal data I process for party political or campaigning purposes is not covered by this privacy notice.

2. What type of personal data do I collect?

When I deal with your enquiry, I might collect the following information to help you:

- Name
- Postal Address
- Contact Phone Number
- Email address
- Details of the enquiry.

In some cases, such as assisting you with specific issues or specific organisations, I might need more information such as:

- National insurance number
- Reference number(s)
- Date of birth
- Signature
- Information about your health needs
- Details of family members.

Other cases may require the handling of special category data which is allowed if acting on behalf of a request from the constituent. This data requires more protection due to its sensitivity (special category data) and may include:

- medical information,
- racial or ethnic origin,
- sexual orientation or sexual life,
- religious or philosophical beliefs,
- trade union membership,
- political opinions,
- genetic data,
- bio-metric data,
- physical or mental health
- criminal convictions and offences.

3. How I collect personal information

I might collect information from you in a number of ways, for example:

- When I meet you in the community or at surgeries
- When you telephone or email
- When you send letters
- When you contact me via social media

4. What is the legal basis for processing (using) your information?

To collect and use your personal information, it is necessary for me to have a lawful basis.

The legal bases relied on for processing personal information when responding to requests from constituents are:

- UK GDPR Article 6(1)(a) – where you have provided **consent** for us to process your information to enable us to answer your query or help with your problem
- UK GDPR Article 6 (1) d) - to protect your **vital interests** – such as a life-or-death situation or to protect you from harm or to protect the vital interests of another person
- UK GDPR Article 6(1)(e) – where processing is necessary to perform a task in the **public interest**, or for the official functions in us as an elected representative, where that task has a clear basis in law (public task)
- UK GDPR Article 6 (1) (f) - where processing is necessary in pursuit of **legitimate interests** as an elected representative and those of constituents or third parties

Special category data

When processing special category data, the following additional lawful bases are considered:

- for **statutory and government purposes** (Schedule 1, Part 2, section 6, DPA 2018)
- where processing is necessary for purposes relating to political activities, including **casework** (Schedule 1, Part 2, section 22, DPA 2018)

- where processing is necessary for us as an elected representative to **respond to a request** (Schedule 1, Part 2, section 23, DPA 2018)
- UK GDPR Article 9(2)(a) – where you have provided **explicit consent** (this will usually be in writing) to process your special category information to enable us to answer your query or help with your problem
- UK GDPR Article 9(2) c) - to protect **vital interests** when you are not able to give your consent and you or someone else is at risk of harm
- UK GDPR Article 9(2)(g) – where processing is necessary for reasons of **substantial public interest**, specifically:
 - for the safeguarding of children and of individuals at risk (Schedule 1, Part 2, section 18, DPA 2018)
- we may also process your information for the **establishment, exercise or defence of claims** or whenever courts are acting in their judicial capacity.

5. What is your personal information used for?

Your personal information will be used to:

- Investigate and respond to your request for advice, guidance or information.
- Investigate and respond to an enquiry or a complaint you have contacted us about.

6. Will your personal information be shared?

In some cases, to enable me to deal with your issues, I may have to share your information with other organisations such as the DWP, the NHS, or other bodies, such as schools and charities.

Where possible, I will let you know when I have shared information.

There may be cases, however, where it might not be possible to tell you that the information was shared because of public interest issues such as an investigation or a police matter.

Please note that if you specifically ask me not to disclose information identifying you to other third parties, it may not be possible for me to progress your request or query on an anonymous basis.

I will not be sharing your information with other Councillors unless you have given your consent.

7. How is your personal information kept secure?

I am required to keep your information safe and secure. In addition to the security provided by council devices and systems, I will ensure that adequate technical and organisational measures are implemented to protect your data. I have undertaken data protection training.

Your information is not sent outside the European Economic Area (EEA).

8. How long will your personal information be kept?

I will keep your personal data for as long as I need it to fulfil my obligations and to comply with any legal requirements for keeping certain types of data. When your information is no longer required it will be securely destroyed.

Any information held at the end of my term will either be passed to the appropriate council representative or securely destroyed.

9. Marketing

At no time will your information be used or passed to another organisation for marketing or sales purposes.

10. Your Information Rights

You have the following information rights:

- to request a copy of the information I hold about you
- to ask me to rectify
- to erase or restrict processing of your data
- to ask for your data to be transmitted (data portability)
- to object to automated decision making
- the right to withdraw consent at any time (if I am relying on consent)

There are some exemptions to these rights. Please see the [ICO website](#) for more information.

To exercise these rights please contact me and I will consider your request. Please note that I may not be able to put your request into effect if the information is subject to a legal exemption. If you wish to exercise any of your rights, including where you are seeking a copy of your personal information, please write to or email me.

11. Complaints

You have the right to complain to the Information Commissioner if you are unhappy with how I have handled your personal data. It would be helpful if you contacted me first about a data protection concern to see if I can resolve the problem.

If you wish to complain to the Information Commissioner the contact details are:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

or by completing the ICO on line form at <https://ico.org.uk/concerns/handling/>