

Privacy Notice for Councillors (in their capacity as Data Controllers)

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The reason we use your data

Elected Councillors are data controllers and accountable for the processing of personal information in connection with requests received from constituents.

Why we are allowed to use your data

Councillors may need to collect personal data to process constituents' requests for assistance or respond to their enquiries. Councillors will only collect the personal data from constituents that is needed to provide them with relevant information, services or support.

Purpose

We collect, hold and use your personal data in order to for the purposes of managing correspondence with local constituents or from others to investigate and respond to complaints and queries.

When constituents ask for their Councillor's help and assistance, the Councillor will need to collect some information from them.

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

The Councillor may also require personal information known as 'special category' information. This data requires more protection due to its sensitivity. This information consists of racial or ethnic origin, sexual orientation and sexual life, religious or philosophical beliefs, trade union membership, political opinions, genetic data, biometric data, physical or mental health and criminal convictions and offences.

It will only be necessary for Councillors to collect this type of information where it is of relevance to the request the constituent is making.

Who we can share your data with

Councillors may need to pass a constituent's personal details and the circumstances of their query/complaint to Council officers to allow the Council to look into the issue.

If you have contacted your Councillor about a personal or policy issue, your personal data may be passed on to a 3rd party in the course of dealing with your request or query, such as other local authorities, government agencies, public bodies, health trusts and

regulators. They may also need to share your information with the other Councillors in the electoral ward so that they are aware that the matter you have raised is being dealt with.

Any third parties with whom data is shared are obliged to keep these details securely, and to only use the data for purposes already communicated.

In any event, Councillors will not use constituents' personal data in a way that goes beyond reasonable expectations.

Constituents can specifically ask their Councillor to not disclose information identifying them to other third parties. However, please be aware that it may not be possible to progress a matter for you on an anonymous basis.

Councillors will never sell constituent's data onto third parties.

Keeping data safe

Councillors will take reasonable security measures to ensure personal information within their control is protected from accidental loss or alteration, inappropriate access, misuse or theft.

Providing accurate information

Councillors need to hold accurate and up to date information about constituents so that appropriate services can be delivered. If any of your details change, please inform your Councillor as soon as possible so that records can be updated.

When computers make any decisions about you

Not applicable

How long we keep your data for

Councillors will process personal data until the issue is resolved and store electronic data and paper records for a minimum of 4 years in line with common practice.

This is to allow for a build-up of case histories and to be able to return to records when further matters arise.

Requesting access to your personal data

Constituents are entitled to the following rights:

- Right of access – you have the right to request a copy of your personal data that is held (by making a Subject Access Request)
- Right of rectification – you have a right to correct data that is held about you if it is inaccurate or incomplete
- Right to be forgotten – in certain circumstances you can ask for the data held to be erased from records

- Right to restriction of processing – where certain conditions apply you have the right to ask to restrict [quarantine] processing of your data
- Right of data portability – in certain circumstances you have the right to have the data held 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 about you, solely by automated means without any human involvement to be reviewed by a human being

Please also refer to the [Privacy Policy – Rother District Council](#) for more information on data protection and your rights.

Under data protection legislation, you have the right to request access to the information that we hold about you. To make a request for your personal information please contact the Council's Data Protection Officer at dataprotection@rother.gov.uk.