

Elected Member Privacy Notice

Overview

In order to serve the interests of my constituents and allow me to fulfil my role as an Elected Member, I need to collect, store, use, share and dispose of personal data. This is called data processing. I am a data controller and I need to comply with the UK General Data Protection Regulations and the Data Protection Act 2018 (Data Protection Legislation).

This privacy notice explains how I will use your personal data as an Elected Member of East Renfrewshire Council.

Categories of Personal Data

As an Elected Member, I will process personal data and, on more limited occasions, special category data.

- Personal data is information which can be used to identify you such as your name, address, date of birth, or a unique identifiers such as your National Insurance Number.
- Special Category data is information that reveals racial or ethnic origins, political opinions, religious or philosophical beliefs, trade-union membership, and data concerning health or sex life.

Why do I need your Information?

Elected Members discharge the duties and functions of an elected representative of an East Renfrewshire Council ward. I undertake constituency casework and respond to queries which means it is necessary for me to process personal data about you.

I will only be able to look into concerns which you raise if I can use your personal information, for example so I can contact you with the result of my enquiries. If your query relates to your own involvement with the Council then I will need details of this involvement in order to be able to assist you.

Data Collection

The personal data that I may hold about you will be collected in several ways:

- In person from you
- By letter or email
- By telephone
- From Council staff

In collecting and using your personal data I am committed to ensuring that I abide by the principles set out within the Data Protection legislation. These principles are there to protect you and make sure that:

- I tell you why I need your information and what I will do with it
- I will only use your information for the purposes that you provide it (except if I must do so by law e.g. to prevent and detect crime).
- I only collect information that I need to help you
- I collect accurate information and, where necessary, keep it up to date
- I do not keep your information for longer than I need to
- I keep your personal information safe and secure at all times

Legal basis for using your information

I will only process your personal data when it is lawful to do so and to support my role as an Elected Member. For example, to allow me to undertake case work on behalf of individual constituents, to represent the interest of my constituency and to further the interests of the ward in which I serve.

As an Elected Member the most common reason that I will process your personal data is that it is necessary in the performance of a task carried out in the public interest. Where I may process special category data (sensitive), the lawful condition is that of substantial public interest. While I do not need your

consent to act on your behalf, I may ask you to sign a mandate form to help me clarify your concerns or interests and ensure there is understanding how I will treat your personal data.

There may be occasions when I do need your consent, for example, to ask you to subscribe to my mailing list and in such cases I will ask you for it. You can withdraw your consent at any time by contacting me, at which point I will stop using your personal data. Details of how to contact me can be found within this link, <https://www.eastrenfrewshire.gov.uk/Find-my-councillor>.

Information Sharing

I may need to share your personal data with Council officers and other Elected Members to address concerns raised with me and depending on the nature of your concern it may be necessary for me to pass your personal details onto a third-party to deal with the enquiry such as Government Agencies, Public Bodies, NHS, Police Scotland and Regulators.

Those that I may need to share personal data with are obliged to keep the details safe and secure, and to use them only for the basis upon which they were originally intended. I will not share any personal data which is not connected with a constituent's case.

By law, I may be required to share personal data for the prevention or detection of crime. These requests will generally come from the police, or another law enforcement agency.

How long will I keep your information?

I will not keep your personal data for any longer than it is needed and will dispose of any records (both paper and electronic) in a secure way.

I will not retain your personal data without your permission beyond the end of the Council term May 2027.

Providing accurate information

It is important that the information I hold about you is accurate and up to date. If any details have changed, or change in the future, then you should ensure that I am informed so that I can update my records.

Information Rights

Under Data protection legislation, individuals have the following rights which I have set out below:

- **The right to be informed** about how I collect and use your personal data through privacy notice such as this.
- **The right to request information** I hold about you. This is known as subject access request and is free of charge. I 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 personal data corrected if it is factually inaccurate or incomplete. I must respond to your request within one month.
- **The right to erasure.** You can ask for your data to be deleted or to stop using it. It will not always be possible for me to comply with your request, for example if there is a legal obligation to keep the information. In such case I will tell you why I cannot comply.
- **The right to restrict processing.** You have the right to restrict how your personal data is processed in certain circumstances, for example if the data is not accurate. If a restriction is applied, I can retain just enough data to ensure that the restriction is respected in future. If I decide to lift a restriction on processing I must tell you.
- **The right to data portability.** If I process your data with your consent, and it is held in a structured, commonly used, machine readable form, you have the right to ask me to transmit it to another data controller so they can use it. This right does not apply if I process your personal data as part of my public task duties.
- **The right to object.** You can object to your personal data being used for profiling, direct marketing or research purposes.

- **The right to object to automated decision making** where a decision is taken without human intervention. I do not make use of automated-decision making processes or profiling in my duties as an elected member.

You can contact me (<https://www.eastrenfrewshire.gov.uk/Find-my-councillor>) if you have any concerns about what I do with your personal information, wish to make a subject access request or think something has gone wrong and I will address your concerns.

If you remain unhappy with how I have handled any concerns raised, you have the right to lodge a complaint with the Information Commissioners Office, who can be contacted:

- By Post, at Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
- Website, <https://ico.org.uk/make-a-complaint/data-protection-complaints/what-to-expect/>
- By Telephone, 0303 123 1113