

[Find contact details of elected members.](#)

Elected members can be considered data controllers in their own right and must ensure that any personal information they hold or use in their office as an elected member for council business, is treated in line with the UKGDPR and the Data Protection Act 2018. However, there is now, no longer a need for each member to be individually registered as a Data Controller, owing changes in the law in that area. Registrations with their respective political parties and/or the Council's own registration(s), should cover their processing activities.

Purpose of processing

Elected members will wish to make use of personal data provided by their constituents and to some extent, by the Council to enable them to provide their constituents with a response to complaints and enquiries etc.

The legal basis on which members rely in order to use the information they collect about individuals for the purposes set out in this notice is:

- public task - processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.
- Legitimate interest – processing that is likely to be anticipated by the data subject and has a low privacy impact. It can also, if done properly, be an effective way of protecting the individual's interest

Data that is held

Elected members may hold personal data, (UKGDPR Article 6). For example:

- names
- addresses
- email addresses
- phone numbers
- dates of birth

Elected members may also hold sensitive personal information (special category data) (UKGDPR Article 9) such as:

- race
- ethnic origin
- political opinions
- religious beliefs
- trade union membership
- health
- sex life
- sexual orientation

There is considered to be a substantial public interest in processing such data within the constraints set out in this notice.

Elected members will request personal information that is appropriate to enable them to carry out their functions on a 'need to know' basis. Processing of constituents' personal information will be undertaken in accordance with the principles of the data protection legislation.

Data security

Elected members are expected to keep all personal data secure in accordance with our information and data governance policy framework.

Sharing your information

Elected members will not normally need the consent of constituents in order to hold or share their personal data with our partner organisations with which we already have data sharing agreements and which they reasonably could be expected to contact to progress the issue constituents have raised. This does include sharing data with the Council's various services as appropriate.

Constituent's personal data must only be used for the purpose stated in their enquiry. If there is any doubt about sharing personal data then advice should be sought from our data protection officer, or clarification and consent sought from the data subject themselves..

If the personal data is to be used or shared in a way that the constituent would not reasonably anticipate, then the elected member should inform the constituent what they're proposing to do with the data before using it or sharing it. Consent should be sought where necessary.

If the constituent has any concerns about sharing the data and they inform the elected member of this concern, then their wishes must be respected and the data must not be shared.

Where elected members have relied on constituents' consent to use their data this needs to be carefully documented.

Data retention

Elected members will normally process personal data until such time as they have resolved the issue and store electronic data and paper records for the minimum period that is necessary to do so and for no longer than their period of office. This is to allow them to build up case history and to return to records when further matters arise.

Unauthorised disclosure

In the event of loss or inappropriate disclosure of personal data then elected members should follow our data incident processes, and report the matter to the Information Governance Team at FOI@haborough.gov.uk

Enquires and complaints

Constituents are entitled to exercise the full range of their rights in relation to their personal data held by elected members as they are in relation to data held by the Council itself.

[Your rights under GDPR and the Data Protection Act.](#)

If elected members have any concerns or they receive any complaints relating to the use of personal data they should contact the Data Protection Officer, email: FOI@haborough.gov.uk

If an elected member is unable to resolve a complaint to an individual's satisfaction, the constituent can [make a complaint to the Information Commissioner's Office.](#)