

Data Protection Act 2018

Hyndburn BC: Councillor's privacy notice

This privacy notice tells you what information Hyndburn Council councillors collect and use, and your rights regarding your information.

As an elected councillor, I am a "data controller" for the purposes of the Data Protection Act 2018 and I am accountable for the processing of personal information in connection with requests received from constituents.

Personal information

Personal information (referred to as "personal data" in the Data Protection Act) includes information about living individuals who can be identified from the information that is held about them. I may need to collect personal information from you so that I can deal with requests for assistance or respond to your enquiries. I will only collect the minimum amount of personal information that I need to provide you with assistance, services or support.

What information will I ask for?

When you ask for my help and assistance, I will usually need to collect your name, address and contact information, together with details of the problem or concern. Depending on the circumstances, I may also need more information such as your date of birth, reference numbers and your national insurance number. In some cases, I may need more sensitive information (referred to as "special categories of personal data" in the Data Protection Act), such as medical information.

Lawful basis for processing

Under data protection law, I must have a valid, lawful basis for obtaining and using your personal information. I will usually rely on one of the following:

- consent – you have given your consent for me to process your personal information for a specific purpose.
- public task – where the processing of your data is necessary for me to perform a task in the public interest or for my official functions as an elected representative and the task or function has a clear basis in law.
- legitimate interests – where the data processing is necessary for my legitimate interests as an elected representative or the legitimate interests of a third party unless there is a good reason to protect your personal data, which overrides those legitimate interests.
- special categories of personal data (such as medical information) – I will usually have your express written consent.

Who will I share your information with?

I may need to pass your personal details and the circumstances of your query/complaint to third parties so that they can look into the matters you have raised. Depending on the nature of your enquiry, these third parties may include: Hyndburn Borough Council, Lancashire County Council, government agencies such as the DWP, the NHS, the police, your landlord and regulators. Sometimes I may share your information with my other ward councillor colleagues so we can work together to resolve the issue you have raised.

I will not pass your personal details on to anyone else unless I am required to do so in particular circumstances. These circumstances may include: court proceedings, detection and/or prevention of crime or fraud, to protect a child and to protect a vulnerable adult. Where possible I will let you know when I have shared your information.

Please note: 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 requests or queries on an anonymous basis and I may be unable to help you.

Unless you have given your prior express consent, I will not share your information:-

- for party political activities
- for marketing or sale purposes
- outside the EU

Keeping your data safe

I will take reasonable security measures to ensure personal information within my control is protected from accidental loss or alteration, inappropriate access, misuse or theft. If you use my Hyndburn Council email address your communications will have the benefit of the Council's cyber security measures.

How long is your data kept?

I will only 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. I will not keep your information when I cease to be a councillor. I will ensure that your personal information is disposed of securely and safely.

Your rights

You have several rights regarding your personal data, these are:

- Access to records: you can ask for copies of information I hold about you.
- Correction of inaccurate information: if you think information I hold about you is inaccurate or incomplete you can ask for this to be corrected.
- Portability: you can ask me to provide any electronic data I may hold about you in a format that allows you to transfer it to another organisation.
- Right to be forgotten: you can ask for your personal information to be deleted or removed in some circumstances.
- Objections: you can ask me to stop using your information for certain purposes.
- Restrictions: you can ask me to restrict my use of your data.

Automated decision making and profiling: you are entitled to protection against damaging decisions being made about you due to automated processes based on digital or other information I hold, and without human intervention, except for some situations where this is authorised by law. I do not undertake any activity of this type.

Contact

If you are dissatisfied with how I have used your personal information, you can complain to the **Information Commissioner's Office**,

**Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF**

Telephone – 0303 123 1113

www.ico.org.uk

If you are dissatisfied with how I have used your personal information whilst transacting business for the Council, please contact the Council's Data Protection Officer:-

**Hyndburn Borough Council
Scaitcliffe House
Ormerod Street
Accrington
BB5 0PF**

Email: dpo@hyndburnbc.gov.uk