

## COUNCILLOR PRIVACY NOTICE

**How I will use your personal information in my capacity as Councillor when I deal with matters and issues you raise with me on your behalf.**

### **1. Who am I, what is my role?**

As an elected Councillor within the borough of St Helens, I am often approached by constituents asking for my advice and assistance in resolving matters and issues that they have with organisations and agencies. These matters may range from, for example:

- Providing assistance;
- Supporting a resident to report a broken streetlight; and
- Assisting a claimant in resolving a matter associated with claim.

Undertaking this work means that I often need to collect and process personal information about the person who has asked me for advice, support and/or to represent them. It is therefore important that I explain to people via this privacy notice how I may need to use their personal information in order to deliver my role as Councillor.

### **2. What and whose personal information do I hold?**

If you contact me in my role as your Councillor by phone, letter, email or in person, I am likely to collect and process some personal information about you in order to deal with your request.

The personal information I will process about you is likely to vary depending on the nature of the problem or concern that you have asked me to support you with. Generally I will ask for your personal information such as your name, address and contact information together with details of your problem or concern. Sometimes, the information relating to the detail of your problem or concern may include:

- Family, lifestyle and social circumstances
- Financial details
- Education and employment details
- Housing information
- Detail of complaint / concern

I also may need to process more sensitive information (known as special category) such as:

- Physical or mental health details
- Racial or ethnic origin
- Offences including alleged offences etc.

I will only ask for this information if absolutely necessary.

Typically I will process information about you, but I may also process personal information relating to others that are involved or I come into contact with during the course of my enquiries. This may include for example information about:

- family members, relatives, guardians and associates of the person whose personal information I am representing.
- council employees
- landlords and social landlords
- business or other contacts

### 3. Where do I get your information from?

The information I process is likely to come from a variety of sources depending on the nature of your problem or concern and the individuals or organisations I come into contact with during the course of my enquiries. Typically I will obtain information from:

- You when you ask for my advice or for me to represent you.
- Organisations and agencies that may be involved (see question 6 below for examples)
- I may also generate my own information for example when responding to your concern and updating my records.

### 4. What will I use your information for?

I will only use the information to deal and respond to the problem or concern you have asked me to assist you with.

### 5. What is the legal basis for the use of this information?

The legal basis for the use and processing of this information is:

#### **Personal data:**

- Article 6 (e) – processing necessary for the performance of a task carried out in the public interest or the exercise of official authority vested in the controller.

#### **Special category data**

- Article 9 (g) – processing is necessary for reasons of substantial public interest, on the basis of Union or Member state law: DPA2018, Schedule 1, Part 2 (23 & 24)

#### **Criminal conviction data**

- Article 10 - processing of personal data relating to criminal conviction and offences shall be carried out only under the control of official authority or where processing is authorised by Union or Member state law: DPA2018, Schedule 1, Part 2 (23 & 24).

### 6. Do you share my information with anyone else?

In order for me to deal with your request and resolve your problem or concern, I am likely to share your information with other agencies and organisations who may be involved or identified during the course of my enquiries. Any information will be disclosed with these individual/organisations on a 'need to know' basis.

The organisations and agencies who I may share your information with will vary depending on the nature of your problem or concern and may include, by way of example:

- Council departments and services
- Central government departments such as HMRC, DWP
- Health organisations – St Helens & Knowsley Hospital Trust, GP, Dentist etc. (if your problem is health related)
- Citizens Advice Bureau
- Law enforcement agencies and investigating bodies such as the Police, Probation Services
- Your landlord / housing association etc. (e.g. if you live in rented accommodation and your problem relates to your rent / accommodation).

Unless I am required to do so by law, for example for crime prevention/detection purposes or the safeguarding or vulnerable children or adults, no personal information obtained by me will be further disclosed other than for the purposes of dealing and responding to your request for support and assistance.

### **Use of Council email systems**

Should you contact me via my Council email address ([ClrLMaloney@sthelens.gov.uk](mailto:ClrLMaloney@sthelens.gov.uk)) you should be aware that the information contained within those emails will be stored by the Council on their secure IT systems. Emails may be scanned and monitored by the Council for security purposes (identifying and blocking harmful viruses for example).

## **7. How long will my information be kept?**

As a matter of principle, I will not retain personal information for is longer than necessary in relation to the purpose for which it was originally obtained.

In order to manage this effectively I will review all records containing personal information every 6 months and delete those that are no longer needed.

Those records that need to be retained, will be kept by me for no longer than 3 years from the date the matter is brought to a close.

## **8. Your information, your rights**

The General Data Protection Regulation (GDPR) gives you important rights. Your main rights in relation to the information I process about you are:

- Right to be informed – you have the right to know what information I am processing about you and when I intend to do with it (this privacy notice fulfils this requirement in relation to casework)
- Right of access – you have the right to request a copy of the personal information that I hold about you.
- Right to rectification – you have the right to correct information that I hold about you if it is

inaccurate or incomplete.

- Right to restrict processing – in certain circumstances you have the right to ask me to stop processing your personal information.

For further information on your information rights and when they apply please visit <https://ico.org.uk>

## **9. How to contact me**

If you have any concerns or would like to know more about how I use your personal information, please contact me in one of the following ways:

By email: [CLlrLMaloney@sthelens.gov.uk](mailto:CLlrLMaloney@sthelens.gov.uk)

## **10. Your right to complain**

You have the right to complain to the Information Commissioner if after contacting me about a data protection concern, you are not satisfied with my response.

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

Helpline: 0303 123 1113

**RECORD OF PROCESSING ACTIVITIES FOR AN ELECTED MEMBER WHEN PROCESSING PERSONAL DATA IN THE CAPACITY OF A DATA CONTROLLER, WHEN DEALING AND RESPONDING TO REQUESTS FROM CONSTITUENTS (CASEWORK)**

<b>Name and contact details of the Controller</b>	E-Mail: <a href="mailto:CLlrLMaloney@sthelens.gov.uk">CLlrLMaloney@sthelens.gov.uk</a>
<b>Name and contact details of the Data Protection Officer</b>	Not applicable
<b>Purpose for processing</b>	Carrying out casework on behalf of individual constituents in my ward (dealing, responding to enquiries).
<b>Lawful basis for processing</b>	<p><b>Personal data:</b></p> <ul style="list-style-type: none"> <li>Article 6 (e) - processing necessary for the performance of a task carried out in the public interest or the exercise of official authority vested in the controller.</li> </ul> <p><b>Special category data</b></p> <ul style="list-style-type: none"> <li>Article 9 (g) - processing is necessary for reasons of substantial public interest, on the basis of Union or Member state law: DPA2018, Schedule 1, Part 2 (23 &amp; 24)</li> </ul> <p><b>Criminal conviction data</b></p> <ul style="list-style-type: none"> <li>Article 10 - processing of personal data relating to criminal conviction and offences shall be carried out only under the control of official authority or where processing is authorised by Union or Member state law: DPA2018, Schedule 1, Part 2 (23 &amp; 24).</li> </ul>
<b>Description of the categories of data subjects</b>	<p>Personal data is processed about the individual who is being represented.</p> <p>Personal data may also be processed about the individuals that I come into contact with, during the course of my enquiries. The individuals are likely to vary depending on the nature of the complaint or concern and who I need to contact / discuss matter with, but may include for example:</p> <ul style="list-style-type: none"> <li>family members, relatives, guardians and associates of the person whose personal information I am representing.</li> <li>council departments and employees</li> <li>central government department and employees</li> <li>landlords and social landlords</li> <li>business or other contacts</li> </ul>
<b>Categories of personal data</b>	Information processed will be relevant to the complaint or concern and may include:

	<ul style="list-style-type: none"> <li>• Personal details</li> <li>• Family, lifestyle and social circumstances</li> <li>• Financial details</li> <li>• Education and employment details</li> <li>• Housing information</li> <li>• Detail of complaint / concern</li> </ul> <p>I may also process special category or criminal conviction data that may include but is not limited to:</p> <ul style="list-style-type: none"> <li>• Physical or mental health details</li> <li>• Racial or ethnic origin</li> <li>• Offences including alleged offences etc.</li> </ul>
<p><b>Categories of recipients to whom the personal data have or will be disclosed</b></p>	<p>Information will only be shared where necessary or required in relation to the above purpose. The categories of recipients who I may share personal data with will vary depending on the nature of the problem or concern and may include, by way of example:</p> <ul style="list-style-type: none"> <li>• Council departments and services</li> <li>• Central government departments such as HMRC, DWP</li> <li>• Health organisations – St Helens &amp; Knowsley Hospital Trust, GP, Dentist etc. (if your problem is health related)</li> <li>• Citizens Advice Bureau</li> <li>• Law enforcement agencies and investigating bodies such as the Police, Probation Services</li> <li>• Your landlord / housing association etc. (e.g. if you live in rented accommodation and your problem relates to your rent / accommodation).</li> </ul>
<p><b>Transfers of personal data to a third country and safeguards</b></p>	<p>Information processed for the above purpose of not routinely processed overseas.</p> <p>If on occasions IT software is used that makes use of cloud storage or hosted technologies where data is processed outside the EEA, such processing will be compliant with the requirements of the GDPR.</p>
<p><b>Time limits for erasure</b></p>	<p>Two years from the date the matter is brought to a close.</p>
<p><b>Technical and organisational security measures</b></p>	<p>I take reasonable security measures to ensure that personal data relating to constituency casework is protected from accidental loss or alteration, inappropriate access, misuse or theft.</p>