

Elected Member Privacy Notice

As an Elected Member of Harlow Council, the UK General Data Protection Regulation (UK GDPR) allows me to collect and use the personal information provided by you to assist you in my official role as your local councillor. In this capacity I am the Data Controller. That means I, working with Harlow Council, determine the purpose and means of processing your personal data.

I will only use the personal data provided by you 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 interests of my constituency, and to further the interests of the ward in which I serve.

Your Personal data

Personal data relates to a living individual who can be identified from that data. Identification can be by the information alone or in conjunction with any other information in my possession or likely to come into my possession.

Some of your personal data is classed as 'special categories of personal data' because it is the information that is considered to be more sensitive and therefore requires more protection. This includes information that identifies your racial or ethnic origin, political opinions, religious or philosophical beliefs, sexual orientation and information regarding your physical and mental health.

For information on how I will protect special category personal data, please see the Council's Appropriate Policy Statement which is available at www.harlow.gov.uk.

The processing of personal data is governed by the General Data Protection Regulation (GDPR) 2016 and the principles set out in it.

How I process your personal data

I comply with my obligations under the GDPR and the principles of the Data Protection Act 2018 (DPA) by:

- keeping your personal data up to date
- storing and destroying it securely
- not collecting or retaining excessive amounts of data
- protecting your personal data from loss, misuse, unauthorised access and disclosure
- ensuring that appropriate technical measures are in place to protect personal data, like password protection and only using Harlow Council equipment and encryption software to safeguard your data.

I have a legal duty to protect any personal data I collect from you - whether through written correspondence, online forms, or emails or when you telephone me.

Legal basis for processing your personal data

I will only process your personal data where it is lawful to do so. As an Elected Member, the most common reason, under law, is the performance of a task carried out in the public interest. In relation to special category data, the lawful basis 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 form to help me clarify your concerns or interests and ensure we both understand how your personal data will be treated and in case I need information from other organisations to assist in resolving your query.

On occasions when I do need your consent, for example, to ask you to subscribe to my mailing list, I will ask you for it. You can withdraw your consent at any time, at which point I will stop using your personal data and securely destroy it.

Sharing your personal data

As an Elected Member of Harlow Council, I may need to pass your personal details and the circumstances of your query/complaint to Council officers to allow the Council to look into the issue. I may also need to pass your personal data on to a third-party in order to resolve your query, for example, other local authorities, government agencies, public bodies, health trusts and regulators. Any third parties with whom I may share your data are obliged to keep your details securely, and to only use your data for purposes communicated to you.

I will not pass personal data of constituents to anyone else unless I am required to do so by law or where this is in connection with a criminal investigation. 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.

I will not use your personal data in a way that goes beyond your reasonable expectations in contacting me. If you specifically ask me not to disclose information identifying you to other third parties it is necessary for me to contact, I will respect that. However, please be aware that it may not be possible to progress a matter for you on an anonymous basis. It is not unusual for constituents to raise issues with me about other bodies and therefore if that happens, I will need to refer the question/complaint to them.

How long I keep your personal data

I will process your personal data until I have resolved your issue and store electronic data and paper records for the duration of my term in office. This is to allow me to build up case history and to return to your records when further matters arise. Any information I hold at the end of my term in office is either passed to the appropriate council representative or securely destroyed.

Your rights and your personal data

You have the following rights:

- Access to your information – you have the right to request a copy of the personal data that is held about you.
- Correcting your information – you may ask me to correct any personal data about you that you believe is incorrect.
- Deletion of your information – you have the right to ask me to delete personal data about you where:
 - You think that I no longer need to hold the personal data for the purposes for which it was originally obtained;
 - I am using that personal data with your consent and you have withdrawn your

consent – (see more details below);

- You have a genuine objection to me using your personal data –(see more details below); and

- The use of your personal data is contrary to law or other legal obligations.

- Objecting to how I may use your personal data - you have the right at any time to tell me to stop using your personal data for direct marketing purposes. I will only use your personal data to provide you with general updates on my activity as a Councillor, and on events within my ward, with your consent.
- Restricting how an Elected Member may use your information - in some cases, you may ask me to restrict how I use your personal data. This right might apply if I no longer have a basis for using your personal data but you don't want me to delete the data. Where this right is realistically applied it means that I may only use the relevant personal data with your consent, for legal claims or where there are other public interest grounds to do so.
- Withdrawing consent to use your information - where I use your personal data with your consent, you may withdraw that consent at any time and I will stop using your personal data for the purpose(s) for which consent was given. Please email me directly to withdraw your consent, copying in data.protection@harlow.gov.uk

Complaints or queries

We try to meet the highest standards when collecting and using personal information. For this reason, we take any complaints we receive about this very seriously. We encourage people to bring it to our attention if they think that our collection or use of information is unfair, misleading or inappropriate. We would also welcome any suggestions for improving our procedures.

If you have any concerns, questions or comments please email data.protection@harlow.gov.uk

If having exhausted the complaint process you are not content that your request or review has been dealt with correctly, you can appeal to the Information Commissioner's Office to investigate the matter further by writing to:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Changes to this privacy notice

We keep this privacy notice under regular review and if we make any changes, we will publish the updated version on our website. This privacy notice was last updated May 2024