

Democratic Services Privacy Notice: Elected Member and Independent Member details

Last Updated: September 2018

This notice explains what personal data (information) we hold about you, how we collect, how we use and may share information about you. We are required to give you this information under data protection law.

Who are we?

Kent County Council collects, uses and is responsible for certain personal information about you. When we do so we are regulated under the General Data Protection Regulation which applies across the European Union (including in the United Kingdom) and we are responsible as 'controller' of that personal information for the purposes of those laws. Our Data Protection Officer is Benjamin Watts.

The personal information we collect and use

Information collected by us

In the course of supporting Elected Members, we process the following information;

- Name, telephone, email and contact address
- Role within the Council and Committee Membership
- Bank details
- Vehicle registration
- Register of interests – including interests of spouses (requiring the collection of their name and address and relevant commercial or property interests)
- Register of Party Transactions
- Register of Gifts and hospitality
- Medical information (provided when related to attendance issues, accessibility or dietary requirements – this is special category data)

Independent Members (co-optees) are treated as Elected Members for the purposes of carrying out their functions on behalf of KCC and their data is collected and processed under the same terms.

How we use your personal information

We use your personal information to:

- Maintain contact with you in your role as an Elected Member
- Facilitate your attendance at KCC meetings.
- Maintain up to date records of Committee membership and involvement (allowing notification of meetings and provision of papers)
- Provide governance advice for disclosable interests relevant to decision making and Committee involvement
- Pay allowances and expenses under the agreed Members Allowance Scheme
- Manage complaints made against you under the Code of Conduct.
- Publish the requisite information online about your declared interests, party transactions and committee appointments

How long your personal data will be kept

- Committee Membership details (Names) are held indefinitely for archiving and governance review purposes
- Address details are held until 2 years after you leave office before being securely destroyed
- Allowance details are held until 6 years after you left office before being securely destroyed
- Register in interests are held until 6 after you left office before being securely destroyed

Reasons we can collect and use your personal information

The processing is necessary for the performance of a task in the public interest and to comply with a legal duty. This means that Public Task and Legal Obligation are the lawful bases for collecting and using your personal data – Local Government Act 1972 Section 94 (1) & Localism Act s29 for registers of interests and associated personal details and Local Government Act 1972 Schedule 12 requires us to record Member attendance at meetings.

For any health information collected in relation to accessibility requirements, we rely on substantial public interest as the lawful basis for collecting and using your special categories of personal data for Statutory etc and government purposes – GDPR Article 9(2)(g) & Schedule 1 Part 2 Data Protection Act.

With whom we share your personal information

We routinely share the following information:

- Your name, address and contact information are published on the KCC website
- Your allowances and expenses are made public on the website

- Contact information is made available to KCC staff to allow for normal business
- Your image will be published on the KCC Website
- Video and voice recordings of your involvement in Committee meetings will be published online as part of webcasted meetings.
- Your name and contact information will be shared with outside bodies to which you are appointed by the Council
<https://democracy.kent.gov.uk/mgListOutsideBodies.aspx?bcr=1>

We will share personal information with law enforcement or other authorities if required by applicable law.

Your Rights

Under the GDPR you have rights which you can exercise free of charge that allow you to:

- Know what we are doing with your information and why we are doing it
- Ask to see what information we hold about you (subject access request)
- Ask us to correct any mistakes in the information we hold about you
- Object to direct marketing
- Make a complaint to the Information Commissioners Office

Depending on our reason for using your information you may also be entitled to:

- Ask us to delete information we hold about you
- Have your information transferred electronically to yourself or to another organisation
- Object to decisions being made that significantly affect you
- Object to how we are using your information
- Stop us using your information in certain ways

We will always seek to comply with your request however we may be required to hold or use your information to comply with legal duties. Please note: your request may delay or prevent us delivering a service to you.

For further information about your rights, including the circumstances in which they apply, see the guidance from the UK Information Commissioners Office (ICO) on individuals' rights under the General Data Protection Regulation.

If you would like to exercise a right, please contact the Information Resilience and Transparency Team at data.protection@kent.gov.uk.

Keeping your personal information secure

We have appropriate security measures in place to prevent personal information from being accidentally lost or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

Who to Contact

Please contact the Information Resilience and Transparency Team at data.protection@kent.gov.uk to exercise any of your rights, or if you have a complaint about why your information has been collected, how it has been used or how long we have kept it for.

You can contact our Data Protection Officer, Benjamin Watts, at dpo@kent.gov.uk or write to the Data Protection Officer, Sessions House, County Hall, Maidstone, Kent ME14 1XQ.

The General Data Protection Regulation also gives you right to lodge a complaint with a supervisory authority. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns> or telephone 03031 231113.

For further information visit <https://www.kent.gov.uk/about-the-council/about-the-website/privacy-statement>