

Privacy Notice – Contact Your Councillor

Purpose:

Contacting your Councillor

Description

As an Elected Member, in order to look into concerns that you raise, I will need to use your personal information, for example, so that I can contact you with the result of my inquiries. If your query relates to your own involvement with the Council, then I will also need details of this involvement in order to be able to assist you.

I also receive information about individuals from third parties, such as where constituents raise queries or complaints about other people, and I receive information from the Council relating to individuals where the matter in question is being reported to a Council committee.

Information I hold about other people:

Most of the personal information I hold relates to people who have approached me directly in connection with a particular issue. However, I also receive information about individuals from third parties, such as where constituents raise queries or complaints about other people; and I receive information from the Council relating to individuals where the matter in question is being reported to a Council committee. In some cases I will contact these other people directly to inform them that I have been provided with information about them (and to tell them about their rights under data protection law) but in many cases this is impractical, particularly where I hold third party information in connection with attempts to ask the Council to take some sort of enforcement action where it would not be appropriate for me to contact third parties.

Conditions for processing personal information

If you have contacted me and provided me with your personal information, I will use your information only with your consent. You are free to withdraw your consent at any time but, if you do so, I will be unable to continue assisting you.

Where I have been given information about other people then I use this information because it is necessary for the performance of a task carried out in the public interest by the Council and in order for me to carry out my functions as an Elected Member.

For some activities, I may also need to process more sensitive personal information about you for reasons of substantial public interest as set out in the Data Protection Act 2018. It is necessary for me to process this more sensitive information for a number of reasons including:

- To carry out key functions as set out in law,
- In order to protect your vital interests or the vital interests of others in circumstances where I will not be able to seek your consent, or

- With your explicit consent.

To enable me to process sensitive personal information, it is likely that I will require you to provide your consent in writing.

Your rights

- **Access your information** – you have the right to request a copy of the personal information that I hold about you.
- **Correcting your information** – I want to make sure that your personal information is accurate, complete and up to date. Therefore, you may ask me to correct any personal information about you that you believe does not meet these standards.
- **Deletion of your information** – you have the right to ask me to delete personal information about you where:
 - You think that I no longer need to hold the information for the purposes for which it was originally obtained,
 - I am using that information with your consent and you have withdrawn your consent,
 - You have a genuine objection to my use of your personal information, or
 - My use of your personal information is contrary to the law or other legal obligations.
 - **Objecting to how I may use your information** – You have the right at any time to tell me to stop using your personal information for direct marketing purposes. I will only use your information to provide you with general updates on my activity as a councillor, and on events within the ward, with your consent.
 - **Restricting how I may use your information** – in some cases, you may ask me to restrict how I use your personal information. This right might apply, for example, where I am checking the accuracy of personal information that I hold about you. This right might also apply if I no longer have a basis for using your personal information, but you don't want me to delete the data. Where this right is applied it will mean that I may only use the relevant personal information with your consent, for legal claims or where there are other public interest grounds to do so.

Please contact me if you wish to exercise any of these rights.

Whom we share your information with

As an Elected Member of Orkney Islands Council, I would normally pass your details, and the detail of the situation you have sought my help about, to relevant officers of the Council in order to allow the Council to look into the issue. If the matter relates to activities of one of the Council's arms' length external organisations (ALEOs) I would pass the details on to the relevant ALEO instead. I do not generally pass personal details of constituents who contact me to anyone else unless I am required to do so by law or where this is in connection with a criminal investigation.

How to withdraw your consent

Withdrawing consent to use your information – Where I use your personal information with your consent you may withdraw that consent at any time, and I will stop using your personal information for the purpose(s) for which consent was given.

Keeping your data safe

I will take reasonable security measures to ensure that personal information within my control is protected from accidental loss or alteration, inappropriate access, misuse or theft.

How long is your data kept?

I will only keep your personal data for as long as it is needed for the purpose for which it was obtained or for purposes of compliance with any other legal requirements.

Automated processing

I do not make use of automated decision-making processes or profiling.

International transfers

All data which I hold is held within the UK.

Supervisory authority

If you are unhappy about how I have handled your personal information I would be happy if you raised this with me directly in the first instance. However, you also have the right to lodge a complaint with the Information Commissioner's Office.

The address and contact details for the Information Commissioner's Office are:

Address: 45 Melville Street, Edinburgh, EH3 7HL.

Telephone: 01312449001.

Email: Scotland@ico.org.uk.

If you are unhappy with how I have used your personal information whilst transacting business for the Council, please contact the Council's Data Protection Officer, Gavin Mitchell.