

Elected Members Privacy Notice

This privacy notice explains how elected members use information about you and how your privacy is protected.

Who they are and what they do

This privacy notice relates to the personal data processed by Epsom and Ewell Borough Councillors (elected members). Each Elected Member is a registered Data Controller.

Elected Members discharge the duties and functions of an elected representative. As part of this work, they conduct constituency casework and respond to queries, for which it is necessary to process personal data of constituents.

Elected Members often undertake activities on Council working parties and committees: in these circumstances, they will have access to information to fulfil their duties the same as an Officer of the Council. In these circumstances, the Council is the Data Controller and this Privacy Notice should be read in conjunction with the [Council's Privacy Notice](#).

What they need

When Elected Members do case work for you, they might collect the following information in order to help you:

- Name
- Address
- Contact Phone Number
- Email address

In some cases, such as assisting you with specific issues or specific organisations, they might also need more information such as:

- Your date of birth
- Your national insurance number
- Reference number(s)
- Signature
- Information about your health needs
- Details of family members

In some rare cases, Elected Members might handle special category data such as medical or social care information.

Elected Members might collect information from you in a number of ways, for example:

- When they meet you in the community or at their surgeries

- When you telephone them or contact them via email
- When you send them letters

Why they need it

- To investigate and respond to your request for advice, guidance or information.
- To investigate and respond to your enquiry or complaint.

What is a Councillor's power to obtain and use personal data?

To collect and use your personal information, it is necessary for a Councillor to have a lawful basis. The lawful basis that cover their work with your personal information are the following:

- Consent - you provide your information and ask them to act on your behalf.
- Protect your vital interests - such as a life or death situation or to protect you from harm, or the vital interests of another person.
- A task in the public interest or where because of their role as a Councillor - they are authorised to use your personal information.
- Legitimate interests- they need your data for their legitimate interests, or the legitimate interests of a third party.

For the special category data, such as your medical information, they rely on the following conditions:

- Explicit consent- this will usually be in writing.
- Protect vital interests- when you are unable to give consent and you or someone else is at risk of harm.
- Establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity.

Processing based on consent

If a Councillor is processing your data because you have consented for them to do so, you can withdraw that consent at any time by getting in touch with us. Unless there is another legal basis for us to process your data, a Councillor must stop processing your data when you withdraw consent and destroy the data. This may mean that they can no longer provide services to you.

Will your personal information be shared?

Elected Members may need to share your personal data with Council officers and other Elected Members to address constituent concerns. In some cases, to enable the Councillor to deal with your issues, they may have to share your

information with other organisations such as the DWP, the NHS, or other bodies, such as schools and charities. Where appropriate they may also share your information with other Ward Councillor colleagues in order to proactively work to resolve the issues you have raised.

Where possible, the Councillor should let you know when they have shared information.

There may, however, be instances where it might not be possible to tell you that the information was shared because of public interest issues such as an investigation or a police matter.

When undertaking party political activities your information will only be shared where you have consented to the process.

In addition to handling your data as above, Councillors are allowed to share data about you with others for a range of reasons. These include when they have to share your data for legal reasons and might result in your data being shared with:

- the police
- immigration service
- National Fraud Initiative
- Department for Work and Pensions
- HM Revenue and Customs
- Courts, tribunals and other regulatory bodies
- the Electoral Registration Officer
- the Council's auditors

How long will they keep it for?

Elected Members will not keep your personal data for any longer than it is needed and will dispose of any records (both paper and electronic) in a secure way. All data will be retained in line with legislation and in accordance with our retention policy. In general, they will not retain your personal data without your permission beyond the end of a Council term i.e. four years.

Marketing (if applicable)

At no time will Councillors use your information or pass it to another organisation for marketing or sales purposes without your prior express consent.

What are your rights?

For full details your rights as a data subject please see our [Privacy and Cookies Page](#).

How can I contact somebody about my privacy?

You can get in touch with your Elected Member by letter, email or telephone and details can be found on our webpages by clicking [here](#).

Please note that you will be asked for identification should you choose to exercise any of the above rights in relation to personal data.

If an Elected Member refuses your request under rights of access, they will provide you with a reason why.

For independent advice about data protection, privacy and data sharing issues, you can contact the Information Commissioner's Office (ICO) at:

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

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number.

Alternatively, [visit ico.org.uk](http://ico.org.uk) or email casework@ico.org.uk.