

Elected Member Data Protection Policy

Councillor John Duff

Introduction

The Data Protection Act 2018 places a requirement on data controllers who process **special category** (sensitive) personal data, or personal data relating to **criminal convictions and offences**, to have an “appropriate policy document” in place setting out a number of additional safeguards for this data.

This must:

(a) Explain the controller’s procedures for securing compliance with the principles in Article 5 of the GDPR (principles relating to processing of personal data) in connection with the processing of personal data in reliance on the condition in question, and

(b) Explain the controller’s policies as regards the retention and erasure of personal data processed in reliance on the condition, giving an indication of how long such personal data is likely to be retained.

This policy statement describes how I comply with the data protection principles.

Policy Statement

1: Lawfulness, fairness and transparency:

As an elected member of Perth & Kinross Council I process personal data in two main ways:

1. Information which I receive from Perth & Kinross Council (or from arms’ length external organisations (‘ALEOS’) connected to the council such as Tayside Contracts, Culture PK or Live Active Leisure) which is necessary for me to have in order to carry out my functions as a councillor, such as committee reports;
2. Information which I process in connection with issues raised with me by constituents and others which those people have asked me to intervene with.

I am satisfied that I have a legal basis for holding the personal data I hold, and that I also have a valid legal basis for disclosing this personal data to third parties where this happens.

The most common reason under data protection legislation is the performance of a task carried out in the public interest. In relation to special category data (sensitive data such as medical conditions) the lawful condition is that of substantial public interest.

My privacy notice explains in more detail how I process personal information, and can be found on my overview page at: [Councillor John Duff](#)

3: Data minimisation:

I avoid holding any personal information beyond what is necessary for the specific activity I am dealing with.

4: Accuracy:

Where it is appropriate to do so I take reasonable and sensible steps to check that the information I have been given is accurate and, where any inaccuracies are discovered, these are promptly corrected and any third party recipients of the inaccurate data notified of the correction.

5: Storage limitation:

I only keep personal information for the minimum period amount of time necessary. Sometimes this time period is set out in the law, but in most cases it is based on business need. In general I will not retain your personal data without your permission beyond the end of this Council term, which is 5 May 2022.

6: Integrity and confidentiality:

I hold personal information on devices, software and networks supplied by Perth & Kinross Council. The Council has ensured that these devices etc. are encrypted and suitably protected from malicious software and unauthorised access. Information is only accessed by myself or by support staff acting on my behalf.