

## Privacy Statement

As an elected member of North Lanarkshire Council, I am committed to protecting the privacy and security of your personal information. This privacy statement describes how I collect and use personal information about you. You should read and retain this statement, so that you are aware of how and why I am using your information and what your rights are under data protection legislation.

**My roles:** In my role as a representative of the residents of my ward, I am a data “controller”. This means that I am responsible for deciding how I hold and use personal information about you. I am required by law to notify you of the information contained in this privacy statement.

In my role as a member of North Lanarkshire Council I may have access to and use personal information about you. In this case the Council will be the “controller” and will decide why and how personal information is used. Where I am acting on behalf of my political party, my party will be the “controller” where it is responsible for deciding how and why your personal information is used. The Council and my political party have their own privacy statements explaining how they use your information.

**Contact Details:** If you wish to contact me, please note my details below.

Name: Mark John Kerr  
E-mail address: kerrm@northlan.gov.uk  
Postal Address: Civic Centre, Windmillhill Street, Motherwell ML1 1AB  
Telephone Number: 07939 280066

**Information I hold about you:** Depending on the nature of my involvement with you, I may collect, store, and use the following categories of personal information about you:

- Personal details (such as name, address, date of birth, e-mail address, telephone number, mobile telephone number)
- Family, lifestyle and social circumstances
- Financial details
- Education and employment details
- Housing information
- Details of complaints
- Racial or ethnic origin
- Political opinions
- Religious or philosophical beliefs
- Trade union membership
- Health data
- Sexual orientation and sex life
- Criminal convictions and offences

I may receive this information directly from you, for example when you correspond with me by e-mail, phone, post, social media or otherwise. I may also receive information about you from third parties or publically available sources.

**How I will use your personal information:** I will usually use your information to represent residents in my ward. For example, this might be to timetable surgery appointments or deal with queries, requests for assistance or complaints which local residents have raised.

**The basis for using your personal information:** I will use your personal information where:

- It is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in me (i.e. my functions as an elected representative);
- It is necessary for my legitimate interests to perform my role as an elected member of the Council (or those of a third party) and your interests and fundamental rights do not override those interests;
- It is necessary for me to comply with a legal or regulatory obligation;
- You have given consent (or explicit consent where necessary) for your personal information to be used;
- It is necessary for reasons of substantial public interest (for example to enable me to act on behalf of someone or to receive information in respect of requests that I have made on their behalf).

- It is necessary to establish, exercise or defend legal claims.

**Sharing your personal data:** I may have to share your personal information with the following third parties for the purposes detailed above: North Lanarkshire Council, other elected representatives and holders of public office, landlords, other councils and central government, law enforcement bodies and investigating bodies, political parties, the media, healthcare, social and welfare advisers or practitioners and other local residents.

**Freedom of information:** You should be aware that the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004 provide a right of access to information held by public authorities. Therefore, if I correspond with a public authority on your behalf, the information may be subject to a freedom of information request or an environmental information request. Whilst an exemption or exception applies to requests for personal data, there may be times when this information could be disclosed by a public authority in response to an information request.

**How long your personal information will be used for:** I will only retain your personal information for as long as necessary to fulfil the purposes for which I collected it. To determine the appropriate retention period for personal information, I consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which I process your personal data and whether I can achieve those purposes through other means, and the applicable legal requirements. I will usually securely dispose of all personal data processed in my role as a representative of the residents of my ward (including casework files) twelve (12) months after the matter has concluded or twelve (12) months after the date of the last correspondence on file. I will also cease to hold your personal information when I am no longer an elected member of the Council.

**Your rights:** Under certain circumstances, by law, you have the right to:

1. **Request access** to your personal information. This enables you to receive a copy of the personal information I hold about you and to check that I am lawfully processing it.
2. **Request correction** of the personal information that I hold about you. This enables you to have any incomplete or inaccurate information I hold about you corrected.
3. **Request erasure** of your personal information. This enables you to ask me to delete or remove personal information where there is no good reason for me continuing to process it. You also have the right to ask me to delete or remove your personal information where you have exercised your right to object to processing (see below).
4. **Object to processing** of your personal information where I am relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where I am processing your personal information is being processed for direct marketing purposes.
5. **Request the restriction of processing** of your personal information. This enables you to ask me to suspend the processing of personal information about you, for example if you want me to establish its accuracy or the reason for processing it.
6. **Request the transfer** of your personal information to another party.
7. **Withdraw consent:** In the limited circumstances where you have provided consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact me.

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, I may charge a reasonable fee if a request for access is clearly unfounded or excessive. Alternatively, I may refuse to comply with the request in such circumstances.

I may also need to request specific information from you to help me confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is to ensure that personal information is not disclosed to any person who has no right to receive it.

**Information Commissioner's Office:** You have the right to make a complaint at any time to the Information Commissioner's Office, the UK data protection regulator. See [www.ico.org.uk](http://www.ico.org.uk) or tel: 0303 123 1113. I would, however, welcome the opportunity to address your issues before you do so.