

# Privacy Notice for Democratic Services

## Introduction

This notice is provided within the context of the changes required by the EU General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA).

This document will therefore be subject to ongoing review to ensure it continues to align with the requirements of all applicable legislation.

## Service description

It is necessary for Thanet District Council to collect and process personal information to run its democratic services.

## Processing activity

In order to carry out democratic services, it is necessary for the Council to collect and hold personal information about you. The information collected and held will vary and depend on the nature of the service. We will process personal information relating to:

- Petitions;
- Standards Complaints;
- submitting questions to the Council;
- speaking at Council meetings

## Petitions

### Personal information we collect about you

- Contact details of the Petition Originator;
- Names, addresses and signatures of the Petition signatories

### The lawful basis for processing your information

Under GDPR, the Council is permitted to use your information this way because this is a task carried out in the public interest<sup>1</sup>.

### How we will use the information about you?

In order to respond appropriately to a petition submitted to the Council, there will need to process some of the personal information of the people who have signed it.

### Who will we share that data with?

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<sup>1</sup> Under Article 6 of the GDPR

Petitions and response will be published on the Council's website, and this will indicate the name of the person who submitted the petition and the name of the organiser in the publicly available agenda that will consider your petition. We do not share any of the signatories' details.

## Data Retention

Personal information processed is destroyed after six years in accordance with the Democratic Services retention schedule.

## Standards complaints

### Personal information we collect about you

- Contact details of the Complainant;
- Details of the complaint against the councillor; and
- Any further information provided to the Council during the course of the investigation.

### The lawful basis for processing your information

The Council's **lawful bases** for processing your personal information are<sup>2</sup>:

- For the performance of a task carried out in the public interest; and
- That it is necessary for compliance with a legal obligation to which the council is subject

We require the information in order to carry out our duties under:

- The Localism Act 2011.

### How we will use the information about you?

We will use this data to assist in investigating allegations of failure to comply with a relevant authority's code of conduct as per the Localism Act 2011.

### Who will we share that data with?

- the members of the standards assessment sub-committee and the officers assisting the sub-committee;
- the councillor you have made a complaint about and their political group leader if they have one.
- If the complaint is regarding a town or parish councillor a copy will be sent to the clerk to that council. The decision notice is a public document and a copy of it will be published to the Council's website;
- If the matter is referred for investigation your contact details and the details of your complaint against the councillor will be shared with the person investigating the complaint (the investigator).

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<sup>2</sup> Under Article 6 of GDPR

## Data Retention

These are destroyed at the end of each Council term in accordance with the Democratic Services retention schedule.

## Submitting questions for Council

### Personal information we collect about you

- Your contact details such as name, phone number, address.

### The lawful basis for processing your information

The Council's **lawful bases** for processing your personal information are<sup>3</sup>:

- For the performance of a task carried out in the public interest; and
- That it is necessary for compliance with a legal obligation to which the council is subject

We require the information in order to carry out our duties under:

- The Local Government Act 1972;
- The Local Government Act 2000; and
- The Council's constitution.

### How we will use the information about you?

We use this information to record and allow you to ask questions to Full Council meetings.

### Who will we share that data with?

We will publish the name of the questioner and the question in the publicly available agenda that will consider your question.

## Data Retention

Council agendas are kept permanently as a matter of public record.

## Speaking at Council meetings

### Personal information we collect about you

Your contact details such as name, phone number, address.

### The lawful basis for processing your information

The Council's **lawful bases** for processing your personal information are<sup>4</sup>:

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<sup>3</sup> Under Article 6 of GDPR

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- For the performance of a task carried out in the public interest; and
- That it is necessary for compliance with a legal obligation to which the council is subject

We require the information in order to carry out our duties under:

- The Local Government Act 1972;
- The Local Government Act 2000; and
- The Council's constitution.

### **How we will use the information about you?**

We use this information to record you as a speaker at a planning committee.

### **Who will we share that data with?**

Your name and point of view on an item under discuss could be shared with other members of the public who wish to speak and published in the publicly available agenda for the relevant meeting.

### **Data Retention**

Council agendas are kept permanently as a matter of public record.

### **Your rights**

The Data Protection Act 2018 in conjunction with the General Data Protection Regulation (GDPR) grants you a number of other rights. These include the right to rectify errors in your records, the right to withdraw consent given to process your data, and the right to object to the use of your data.

You have the right to opt out of the open version of the register, at any time, and we must remove you from this version and tell the statutory recipients in the next update.

You have the right to be told if we have made a mistake whilst processing your data and we will self-report breaches to the Information Commissioner.

For more information on your rights, how we process your personal information and how to make a subject access request, please visit <https://www.thanet.gov.uk/privacy-statement/>

This is also available in other formats (e.g. print).

### **Complaints**

If you wish to complain about how we are processing your personal information please contact:

The Data Protection Officer  
Thanet District Council  
Cecil Street  
Margate

CT9 1XZ

Email: [dataprotection@thanet.gov.uk](mailto:dataprotection@thanet.gov.uk)

Tel: 01843 577000

You also have the right to complain to the Information Commissioner's Office, at:

The Information Commissioner

Wycliffe House, Water Lane, Wilmslow, Cheshire

SK9 5AF

Phone: 0303 123 1113 or 01625 545745

Website: [www.ico.org.uk](http://www.ico.org.uk)