

Report for Policy and Finance Committee May 2019

From: Senior Policy and Data Compliance Monitoring Officer

Subject: ICO Registration of Councillors

Following the advice from the Monitoring Officer as part of the GDPR training sessions last year, all Town Councillors were registered as individual Data Controllers with the ICO.

This was queried by the ICO when the latest registrations were submitted but, following discussions with one of the officers, it was agreed that the town councillors *should* be registered individually and not under the umbrella of the Town Council.

However, *from 1 April 2019 the Data Protection (Charges and Information) (Amendment) Regulations 2019 exempted the processing of personal data by members of the House of Lords, elected representatives and prospective representatives.*

'Elected representatives' is defined by the Data Protection Act 2018 and includes, but is not limited to, MPs, MSPs, AMs in Wales, MEPs, elected councillors in county councils, district councils, London boroughs, parish councils, elected mayors and police and crime commissioners.

'Prospective representative' refers to anyone seeking to become an elected representative as defined above.

(Source ICO website)

Following the change to the regulations, current registrations will not be renewed and there is no requirement to register town councillors in the future.

Councillors are reminded that they still have a responsibility under Data Protection legislation and GDPR to handle data appropriately and with care. A revised Data Protection Awareness and Procedures (Including GDPR) Guide is attached.