



GDPR Presentation for Councillors 20 June 2018

Q & A's

Can the presentation be made available electronically for all councillors?

Yes, the presentation will be emailed to the NAC Admin Assistant for circulation.

How do you get a Privacy Notice?

This should be arranged by the Data Controller who is the person responsible for data and that can be:

- *Your Council*
- *Your Political Party*
- *An Individual - a councillor acting on behalf of a constituent or other but not on behalf of their council or political party and/or an independent councillor not affiliated to a political party*

Why have some councils (including Belfast City) agreed to re-imbusement of fees paid by councillors and other councils have not?

There is no reason for councils to have to re-imburse fees as the legislation could be affected if councillors fees are re-imbursed.

What legal advice is available for councils on the re-imbusement of fees to councillors?

Unable to comment on this as it is a matter for the Governance Committee of each council. The ICO Regulator may be able to give advice on this.

The NAC Secretary added that this matter is being followed up with, alongside other issues that fall under NAC's aim to gain Equality for Councillors across all NI councils.

Councillors that have paid registration fees have not received any acknowledgment of payments or registration documents/certificates and are having problems getting a response to requests made through the ICO on-line chat service and emails sent. It is felt by some that the website is inefficient, are you aware of this?

This is correct and there are many complaints being made in relation to the lack of communication and guidance from ICO, it can take almost half an hour to get to speak to someone on the phone there. The ICO response to this is that they have been inundated and they ask for patience whilst they get this sorted out. Our advice is to keep records of all contact made with ICO in relation to payments and registration. There is a link on the website to search for your registration to see if it is completed.



Another contact name at ICO was provided to a councillor rather than Ken MacDonald is this correct?

Sometimes Case Workers are assigned to act on behalf of the regulator but all enquiries should be directed to him initially.

In relation to Youth Organisations such as the BB, GB, Scouts, Brownies etc. who holds and controls the personal data?

Group leaders should check as they may need to register individually and nominate a Data Controller if they are not affiliated to a church or other organisation such as Army (cadets), Navy (Sea cadets); when affiliated then that organisation may have a Data Controller in place already.

To clarify a councillor's responsibilities - would it be correct that if a councillor is given council personnel information during a committee meeting, the council is the Data Controller but when assisting individuals in relation to a housing problem for example, is the councillor then the Data Controller for the information provided to them?

Yes that is correct as you are processing information as an individual or an independent.

In relation to potential breaches of security, if a councillor works from home and their house is broken into and the data stolen could they claim a refund of fines made for this through their home insurance?

Not sure how insurance companies would feel about this! The advice is that paper records should be held under two locked barriers i.e. a locked door (office or house) and a locked filing cabinet or cupboard, electronic data should be protected adequately by means of password protected devices and data files.