



## BMBC PRIVACY NOTICE

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<b>Created By</b>	Service Director, Law & Governance
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**At BMBC we are committed to protecting and respecting your privacy. This Privacy Notice tells you what you can expect when BMBC collects your personal information. This notice applies to information BMBC collect in relation to Members Registration of Interests administered by the Law & Governance Business Unit.**

### Stage one: Who are we?

Governance and Member Support operate a range of processes relating to the administration of Barnsley Council meetings and the provision of support to Elected Members. This includes the arrangements for the Registration of Interests by Elected Members under the Council's Member Code of Conduct, established in line with the requirements of the Localism Act 2011.

### Stage two: What type of information we will collect from you

- Personal Information such as employment, sponsorship, securities / shares held, contracts with the council, land owned (including your home), corporate tenancies, leases / licences (known as "disclosable pecuniary interests")
- Information on membership of bodies to which the Council has appointed or nominated you or which exercise public functions, charities, bodies seeking to influence public policy (political parties or trades unions), membership of private / society or any organisation which promotes secrecy amongst its members ("other interest")
- Information about close relationships (defined as a spouse, parent, sibling, son, daughter or common law partner) with other Council Members or staff.
- Information about gifts or hospitality received by (you) the Member concerned with a value in excess of £25.

You must declare any "disclosable pecuniary interests" of your spouses / partners in addition to your own. We will not collect any information from you that does not fall to be declared / registered under the requirements of the Localism Act 2011 or the Council's Code of Conduct.

## Stage three: Why do we need your personal information

We will use your personal information to:

- Meet the legal obligations of the Council and Elected Members under section 30 of the Localism Act 2011 and the Council Code of Conduct
- Publish information on interests and registration of gifts and hospitality on the Council's website in accordance with section 29 of the Localism Act 2011

## Stage four: How we will collect your personal information

Elected Members will be provided with the relevant forms on which to register their interests, declare relationships and any gifts or hospitality. These will be provided on election and then be reviewed at least annually. Members are required to sign the forms in question to verify the contents.

## Stage five: Our Legal Basis for processing your information

We collect and use your information under:

Article 6(1) (c) – Processing is necessary for compliance with a legal obligation

Article 6(1) (e) – Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller

The completion of the registration of interest forms is a requirement of sections 29 and 30 of the Localism Act 2011, and the Council Code of Conduct approved by Barnsley Council.

## Stage six: Why we may need to share your information

Section 29 of the Localism Act 2011 requires the register of interests to be available for public inspection and be **published on the Council website**.

## Stage seven: Who we may share your information with

The information included on the registration of interest and declaration of gifts and hospitality forms **will be shared with the general public as described at stage six above**. Section 32 of the Localism Act 2011 allows the Monitoring Officer to exclude from the public register any interest that might result in the Member concerned, or a person connected with them, being subject to violence or intimidation. In these circumstances, the Member concerned should raise this matter directly with the Monitoring Officer.

## Stage eight: How long will your information be kept?

The Council will store your personal information and forms for the period (+3 months) you are in Office or until the information you have provided is superseded by a revised form, after which time it will be securely destroyed. A reference to any interest declared in a

matter discussed at a Council / Committee meeting will be recorded in the minutes of the meeting in question, which are held in perpetuity. For more information on our retention schedule please visit [Barnsley Metropolitan Borough Council privacy notice](#).

### **Stage nine: What will happen if you fail to provide personal information?**

Failure to register, or declare in a meeting, a disclosable pecuniary interest or to provide false or misleading information in relation to such an interest is a criminal offence under section 34 of the Localism Act 2011. A person who is guilty of such an offence is liable on conviction to a fine not exceeding level 5 on the standard scale and disqualification from election or co-option to the authority in question for a period not exceeding five years.

### **Stage ten: How to access and control your personal information**

The Council has a Data Protection framework in place to ensure the effective and secure processing of your information. For details on how your information is used, how we maintain the security of this and your rights to access the information we hold about you, please refer to the [Barnsley Metropolitan Borough Council privacy notice](#)

Should you need to contact the Council to discuss how we use your information, please contact us by email at [informationrequests@barnsley.gov.uk](mailto:informationrequests@barnsley.gov.uk) or by telephone on 01226 773555 and ask to speak with the above Team. If you are not satisfied with our response you may contact our Data Protection Officer on [DPO@barnsley.gov.uk](mailto:DPO@barnsley.gov.uk).

If you are not satisfied with the way we have handled your information, the Information Commissioners Office (ICO) is the UK's independent authority upholding information rights in the public interest and can be contacted at [www.ico.org.uk](http://www.ico.org.uk)