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Data Protection and Privacy Policy

Updated January 2022

# Data Controller: Boundary Commission for Northern Ireland

Email: contact@boundarycommission.org.uk

# Data Protection Officer: Secretary to the Boundary Commission for Northern Ireland

Email: contact@boundarycommission.org.uk

# Introduction

1. The Boundary Commission for Northern Ireland (the Commission) is an independent and impartial public body, which reviews all UK Parliament constituency boundaries in Northern Ireland according to rules established by the Parliamentary Constituencies Act 1986 (as amended). There are separate Commissions to review UK Parliament constituencies in England, Scotland and Wales.

# Why are you processing my personal information?

1. The legal basis for the Commission processing personal data is that it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller.
2. The Commission’s 2023 Review process is informed by public consultations – this is a statutory requirement under the Parliamentary Constituencies Act 1986 (as amended), and therefore we have a legal obligation to process personal data in relation to the consultation process.  The Commission is committed to respecting personal data that we hold as part of the 2023 Review.
3. As a data controller under the auspices of the UK General Data Protection Regulation (UK GDPR), the data we collect (whether we hold it in electronic, paper, or other formats) will have appropriate safeguards in place to ensure we comply with the legislation.

# Where do you get my personal data from?

1. The Commission holds personal data collected through the following:
* Responses to its public consultations; and
* Correspondence sent to the Commission.

# What categories of personal data are you processing?

1. With regards to periods of statutory public consultation, you can respond in writing using a number of different methods e.g email, and post. The Commission may also use a consultation portal called Citizen Space, which is developed and maintained by Delib Ltd, and hosted by UK Rackspace. Digital Shared Services in the Department of Finance provide this online consultation platform for use by public bodies in Northern Ireland.
2. When submitting a consultation response in writing, we will request that you provide us with your name and address to help us ensure each representation is from a unique individual, and (for postal responses) to allow us to send you a confirmation of receipt.
3. If you are submitting your response via our online consultation portal, you may provide your email address in order to enable you to save and return to your response at any time before submitting it, and to receive a confirmation of its submission. If you are submitting your response by email, we will use your email address in order to send you a confirmation of receipt.
4. If you are submitting your response via our online consultation portal, your IP address will be collected and shared with us by Citizen Space. This will also help us ensure each representation is from a unique individual. The consultation portal also uses cookies to enable users to save their response and come back later to complete it.
5. The Commission is also required to hold public hearings as part of its statutory consultation process, at which representations can be made. To ensure the hearings run smoothly, as well as to ensure the accuracy of the statutory record, all attendees are asked to register in advance. We will process correspondence relating to registration for the public hearings, including name, contact details and any attendance requirements you may have. If you have particular attendance requirements, we may need to process certain special category data (such as health information) which you have disclosed to us. The Commission will only use this data for the purposes of facilitating attendance requirements.
6. The public hearings will be held in a hybrid format, allowing for both in-person and virtual attendance. In order to facilitate this, video-conferencing will be used during the hearing, meaning images of those attending may be displayed.
7. Data on political opinions or religious beliefs are sometimes provided to us in consultation responses, although the Commission does not require or request any of the [special categories of data defined under UK GDPR](https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/special-category-data/) for this purpose. Special categories of data may also be provided to us in the context of facilitating attendance at public hearings - the Commission will only use this data for the purposes of facilitating attendance requirements.
8. With regards to correspondence sent to the Commission, we will process the name, address/email address of the correspondent, as well as their opinions and details of any concerns raised in their correspondence. The purpose for which we are processing the personal data is to respond to letters, emails or other communications.
9. You may request a copy of any personal data we hold on you, at any time, by contacting the Data Protection Officer as set out at the top of page 1. We will aim to respond to your request within 1 month.

# Do you share my personal data with anyone else?

1. With regards to public consultation, the legislation that governs how the Commission works dictates that we must invite representations on our proposals for new parliamentary constituency boundaries. It also sets out our duties with regards to making representations, and records of the public hearings, publicly available. In deciding how to treat personal data received as part of the consultation, we have had in mind these legal duties, as well as our obligations under UK GDPR.
2. When publishing representations, we will only publish an individual's name alongside their written response where they have expressly consented to us doing so. Neither postal addresses nor email addresses will be published.
3. While organisational information falls outside the scope of personal data, it is noted that where a written response is received from an organisation, then that organisation’s name will be associated with its response, and published accordingly.
4. Any responses that the Commission judges to contain libellous, defamatory or offensive material will have the problematic material redacted, and only the remainder of the representation will be published.
5. The Commission will only share your information with third party service providers such as Delib (who develop and maintain the consultation portal) and UK Rackspace (who host the consultation portal). All third-party service providers are required to take appropriate security measures to protect your personal information in line with the appropriate policies. These third-party service providers are not permitted to use your personal data for their own purposes. They are only permitted to process your personal data for specified purposes and in accordance with our instructions.
6. As above, the legislation requires the Commission to publish the record of each public hearing. The record will be published on our website and will include the name of each speaker, as well as the organisation represented (if any). Personal information such as address and contact information will not be published.
7. In order to make the statutory record, the public hearings will be recorded for transcription. The hearings will include both in-person and virtual attendance options, and the recordings may include both audio and video. These recordings will only be used for the purposes of transcription, and only the transcribed (written) record will be published.
8. With regards to correspondence, your information may be shared with other public bodies, or the devolved administrations, where it is necessary and in order to provide a full answer to you.

# Do you transfer my personal data to other countries?

1. We will not share your personal data with other countries, although our website is accessible in other countries.

# How long do you keep my personal data?

1. Personal data, including video and audio recordings of public hearings, is held for the duration of the 2023 Review. Once ended, all files relating to the 2023 Review will be subject to scrutiny by the Public Records Office of Northern Ireland (PRONI) in line with requirements placed on government bodies and their agencies.
2. We do not undertake any automated decision making or profiling using your personal data.

# What rights do I have?

1. Your rights regarding your personal data are as follows:
* You have the right to obtain confirmation that your data is being [processed](https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-to-be-informed/), and [access to your personal data](https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-of-access/).
* You are entitled to have personal data [rectified](https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-to-rectification/) if it is inaccurate or incomplete.
* You have a right to have personal data [erased](https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-to-erasure/) and to prevent processing, in specific circumstances.
* You have the right to [‘block’ or suppress](https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-to-restrict-processing/) processing of personal data, in specific circumstances.
* You have the right to [data portability](https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-to-data-portability/), in specific circumstances.
* You have the right to [object to the processing](https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-to-object/), in specific circumstances.
* You have rights in relation to [automated decision making and profiling](https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/rights-related-to-automated-decision-making-including-profiling/).

# How do I complain if I am not happy?

1. If you are unhappy with the processing of your personal information, please contact the Boundary Commission’s Data Protection Officer by calling 028 9052 7821 or by emailing contact@boundarycommission.org.uk.

If you are still not happy, you have the right to lodge a complaint with the Information Commissioner’s Office (ICO):

Information Commissioner’s Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Tel: 0303 123 1113

Email: casework@ico.org.uk

<https://ico.org.uk/global/contact-us/>