



Epping Forest District Council

MEMBER REMUNERATION PANEL **Monday, 6th January, 2014**

Place: Committee Room 1, Civic Offices, High Street, Epping

Time: 8.00 pm or at the conclusion of the meeting between Panel members and District Councillors which commences at 7.00pm

Committee Secretary: Graham Lunnun, The Office of the Chief Executive
Email: democraticservices@eppingforestdc.gov.uk Tel 01992 564244

Members:

D Jackman, Ms R Kelly and S A Lye

1. CHAIRMAN

To elect a Chairman for the meeting.

2. APOLOGIES FOR ABSENCE

3. NOTES OF THE LAST MEETING (Pages 3 - 28)

Attached for consideration.

4. REVIEW OF REMUNERATION SCHEME

To finalise recommendations to the Council in the light of discussions with the councillors who responded to the invitation to submit observations and discuss them with the Panel.

5. DATA PROTECTION ACT - REGISTRATION OF COUNCILLORS AS DATA CONTROLLERS

Under the Data Protection Act, individuals and organisations that process personal information need to register with the Information Commissioner's Office (ICO), unless they are exempt.

The requirement for notification relates to any personal information that members hold and process in relation to their constituency casework, which relates to living individuals. Constituency casework would include member activities such as:

- maintenance of constituents' complaints and enquiries;
- details of follow up action and outcomes; and
- case details where the councillor is acting as an agent/intermediary.

These activities fall outside of the data processing undertaken by the Council, and are not therefore covered by the authority's own notification as a data controller.

The Data Protection Act regulates the holding and processing of personal information. Organisations or individuals that obtain or process personal information covered by the Act may need to notify the Information Commissioner about such processing, whereafter a description of processing activities is placed on a public register of notifications. Data controllers must also comply with the data protection principles of the Act, which form a framework for the proper handling of personal information. Individuals whose personal data is held or processed have rights under the Act, for example, to a copy of the information held about them.

It is a matter for each member to determine whether they should notify as a data controller. Members should therefore consider what personal information they hold and process in relation to their own constituency casework and, if necessary, submit formal notification to the Information Commissioner.

The Council's Data Protection Officer has pointed out that currently only 10 District Councillors have registered with the Information Commissioner. It has been suggested therefore that the Panel consider this issue from an allowances point of view.

The registration fee is £35 per annum. Some councils reimburse their councillors' annual fees upon submission of a claim supported by relevant documentation. The approach at EFDC has always been that the fees should be met from the Basic Allowance.

In an attempt to secure more registrations it has been suggested that £35 of Basic Allowance being withheld each year until a member produces evidence of registration as a data controller. The difficulty with this approach is that some councillors may decide that they do not need to register as data controllers.

The Panel are asked to consider this issue.