

**The Office of the Rt. Hon. Michael Gove MP  
Member of Parliament for Surrey Heath**

**Data Protection Policy**

This document outlines how the Office of the Rt. Hon. Michael Gove MP processes and manages personal data. It:

1. identifies our Data Controller;
2. provides our lawful basis for processing personal data;
3. outlines the scope of personal data we hold and process;
4. outlines the scope of the special category personal data we hold and process;
5. describes and justifies our data retention policy;
6. explains how we respond to Subject Access Requests;
7. contains a copy of our Privacy Notice.

The policies outlined within this document come into full effect on Friday 25th May 2018.

**1. Data Controller**

The Data Controller is the Rt. Hon. Michael Gove, Member of Parliament for Surrey Heath.

**2. Lawful basis for processing**

The Rt. Hon. Michael Gove MP employs staff in his Parliamentary Office to collect/process data on his behalf. Collectively this is 'the Office' of the Rt. Hon. Michael Gove MP.

The Office discharges the duties and functions of an elected Member of the UK Parliament.

- i. Personal data for casework and policy casework, and for engaging with local issues and activities which do not fall within the definition of direct marketing, is primarily processed under the lawful basis of **public task**. However, we may also rely on the legal bases of **consent**.
- ii. We undertake to always act within the reasonable expectations of our constituents and any other individuals about who we hold personal data.

**3. Data we hold**

Data we hold comprises all data subjects whose personal data is collected by the Office of the Rt. Hon. Michael Gove MP, in line with the requirements of General Data Protection Regulation (GDPR) and the Data Protection Act 1998. Under GDPR personal data is defined as:

*“any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person”.*

The personal data we collect and process on data subjects is predominantly, but not limited to:

### **Casework and Policy Casework**

- Name, address and email address.
- Telephone number.
- National Insurance Number, Passport Number, Home Office Reference Number, HMRC Reference Number, Department of Work and Pensions Reference Number.
- Special category data, outlined in point 4.

**Engaging with local issues and activities** which do not fall within the definition of direct marketing

- Name, address and email address.
- Telephone number.
- Special category data, outlined in point 4.

## **4. Special category data we hold**

The Office may hold special category data for a minority of data subjects. This data will be processed under the lawful basis indicated in point two, as is permitted in clauses 23 and 24 of schedule 1 of the Data Protection (Processing of Sensitive Personal Data) (Elected Representatives) Order 2002. The data may include:

- Political opinions
- Religious beliefs
- Trade union activities
- Sexual orientation
- Race and ethnic origin
- Details of criminal offences
- Physical and mental health

## **5. Data Retention Policy**

Unless specifically requested by you, our Office will hold your personal data for no longer than the duration of one parliamentary term or until you exercise your right to be forgotten, whichever is the shorter.

Periodically, our Office will also review personal data stored in files or on our case management database. Where your case has been designated as 'closed' and/or no recourse is likely to be needed to the personal data we hold about you, it will be destroyed or erased.

This data retention policy is in place as casework and policy queries are often revisited to provide the best service and representation for constituents, from who we may continue to receive correspondence regarding the same or related or connected issues.

Therefore, we feel it is necessary for an elected representative to hold personal data as long as a constituent is corresponding or is likely to correspond with that elected representative on any given issue or other issues connected or related to that issue.

## **6. Subject Access Requests**

The Office will comply with Subject Access Requests in accordance with guidance given by the Information Commissioners Office (ICO).

- i. The Office will respond as quickly as possible, within 30 calendar days of receiving the request, proof of identity and proof of address. If we feel that your request will take longer than 30 days, we are allowed to extend it by a further 60 days in line with the General Data Protection Regulation. If this is the case we will notify you in writing within the original 30 day period.
- ii. Proof of identity (ID) and proof of address: the Office will request verification of the identity of any individual making a request, and ask for further clarification and details if needed.

Accepted verification of ID of the data subject includes a certified copy of: a current passport photo page, a current UK or EEA photocard driving license, an accredited ID card bearing the PASS hologram e.g. a CitizenCard.

Accepted proof of address of the data subject includes: a current UK or EEA photocard driving license (if it has not been used as proof of ID), a utility bill issued in the last 3 months (this does not include mobile 'phone bills), a local authority council tax bill for the

current council tax year, a bank, building society or credit union statement or passbook dated within the last 3 months, a solicitor's letter within the last 3 months confirming recent house purchase or land registry confirmation of address.

Please DO NOT send original documentation. Once the Office has verified your identity, the copies of the information you have provided us with will be securely destroyed.

- iii. Data subjects have the right to the following:
  - a. To be told whether any personal data is being processed
  - b. To be given a description of the personal data, the reasons it is being processed and whether it will be given to another organisation or people.
  - c. To be given a copy of the information comprising the data, and given details of the source of the data where this is available.

A Subject Access Request must be made to the Rt. Hon. Michael Gove MP via email to [Michael.gove.mp@parliament.uk](mailto:Michael.gove.mp@parliament.uk) or in the post to: The Rt. Hon. Michael Gove MP, House of Commons, London, SW1A 0AA.

## **7. Privacy notice**

The Office undertakes to ensure all constituents sharing their personal data have the opportunity to read our Privacy Notice.

- i. The Privacy Notice is published on the Rt. Hon. Michael Gove MP's website, [www.michaelgove.com](http://www.michaelgove.com)
- ii. A link to the Privacy Notice is included at the foot of Mr Gove's signature on emails and letters, and at the foot of staff signatures on emails and letters.
- iii. A link to the Privacy Notice is included on Mr Gove's auto-response on his Parliamentary email account.
- iv. Constituents of Surrey Heath who contact the Office via letter and telephone who are unable to access the Privacy Notice online are able to request a hard copy.