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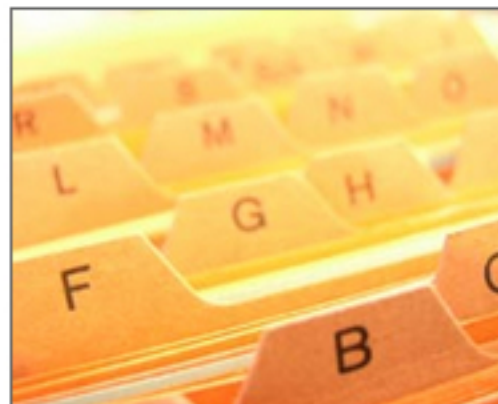
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13,000 councillors may risk data fines

Tuesday, January 25, 2011

Up to 13,000 councillors could be breaching data protection laws, the Information Commissioner's Office (ICO) has said.



Warning of financial penalties, the ICO said councillors who handle personal data must check if they need to register as a data controller or potentially face a fine of up to £5,000.

Currently 6,000 councillors are registered. The ICO said that not all councillors need to notify them, but it said failure to do so when necessary is a criminal offence. It added that if convicted, defendants can face a fine of up to £5,000 in the Magistrates Court or an unlimited fine in the Crown Court.

Simon Entwisle, director of operations at the ICO, said: "Most councillors have regular access to the personal information of the residents they represent. Like all organisations who handle people's information, it is of paramount importance that they take their responsibilities under the Data Protection Act seriously.

"We will be writing to councillors with advice on whether they need to notify with the ICO. Those who fail to notify with us when required may face enforcement action."

The ICO advised councillors to consider the role in which they are processing personal information. It said that if data was handled as member of the council or as a representative of a major political party, the ICO would not normally need notification.

However, the ICO added that when carrying out their role as a representative of the residents in a ward or an independent councillor not affiliated to any political party, then councillors may need to notify.

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