

CRUDWELL PARISH COUNCIL – PRIVACY AND GDPR POLICY

Crudwell Parish Council is the Data Controller for any of your personal data that it may hold or use. The Parish Clerk is the Data Protection Officer.

Personal data is any information about a living individual which allows them to be identified from that data (for example a name, photographs, e-mail address, or address). Identification can be directly using the data itself or by combining it with other information which helps to identify a living individual. The processing of personal data is governed by legislation which applies in the United Kingdom, including the General Data Protection Regulation (the GDPR) and other legislation such as the Human Rights Act.

Other data controllers the Council may work with:

- Local Authorities
- Community Groups
- Charities
- Contractors

The Council may need to share your personal data it holds with them so that they can carry out their responsibilities to the Council. If it and the other data controllers listed above are processing your data jointly for the same purposes, then the Council and the other data controllers may be “joint data controllers”, which means they are all collectively responsible to you for your data.

Where each of the parties listed above are processing your data for their own independent purposes then each of them will be independently responsible to you and if you have any questions, wish to exercise any of your rights (see below) or wish to raise a complaint, you should do so directly with the relevant data controller.

A description of what personal data the Council processes, and for what purposes, is set out in this Privacy Notice.

The Council will process some or all of the following personal data where necessary to perform its tasks:

- Names, titles, and aliases, photographs;
- Contact details such as telephone numbers, addresses and email addresses;
- Where you pay for allotment rents - financial identifiers such as bank account numbers, payment/transaction identifiers, policy numbers and claim numbers.

The Council will comply with data protection law. This says that the personal data it holds about you must be:

- Used lawfully, fairly and in a transparent way;
- Collected only for valid purposes that it has clearly explained to you and not used in any way that is incompatible with those purposes;
- Relevant to the purposes it has told you about and limited only to those purposes;
- Accurate and kept up to date;
- Kept only as long as necessary for the purposes it has told you about;
- Kept and destroyed securely including ensuring that appropriate technical and security

measures are in place to protect your personal data from loss, misuse, unauthorised access and disclosure.

The Council uses your personal data for some or all of the following purposes:

- To deliver public services, including to understand your needs to provide the services that you request and to understand what it can do for you and inform you of other relevant services;
- To confirm your identity to provide some services;
- To contact you by post, email or telephone;
- To help build a picture of how it is performing;
- To prevent and detect fraud and corruption in the use of public funds and where necessary for law enforcement functions;
- To enable it to meet all legal and statutory obligations and powers including any delegated functions
 - To promote its interests;
 - To maintain its own accounts and records;
 - To seek your views, opinions or comments;
 - To notify you of changes to facilities, services, events, staff and councillors;
 - To send you communications which you have requested and that may be of interest to you. These may include information about campaigns, appeals, other new projects or initiatives;
 - To process relevant financial transactions including grants and payments of goods and services supplied to it;
 - To allow the statistical analysis of data so that it can plan the provision of services.

What is the legal basis for processing your personal data?

The Council is a public authority and has certain powers and obligations. Most of your personal data is processed for compliance with a legal obligation which includes the discharge of its statutory functions and powers. Sometimes, when exercising these powers or duties, it is necessary to process personal data of residents or people using the Council's services.

The Council will always consider your interests and rights. This document sets out your rights and the Council's obligations to you.

The Council may process personal data if it is necessary for the performance of a contract with you, or to take steps to enter into a contract. An example of this would be processing your data in connection with becoming an allotment tenant. Sometimes the use of your personal data requires your consent; the Council will first obtain your consent to that use.

Sharing your personal data

This section provides information about the third parties with whom the Council may share your personal data. These third parties have an obligation to put in place appropriate security measures and will be responsible to you directly for the manner in which they process and protect your personal data. It is likely that the Council will need to share your data with some or all of the following (but only where necessary):

- The data controllers listed above under the heading "Other data controllers the council works with"
- Its agents, suppliers and contractors;
- On occasion, other local authorities or not for profit bodies with which it is carrying out joint ventures, eg in relation to facilities or events for the community.

How long does the Council keep your personal data?

The Council will keep some records permanently if it is legally required to do so. It may keep some other records for an extended period of time. For example, it is currently best practice to keep financial records for a minimum period of 6 years to support HMRC audits or provide tax information.

The Council may have legal obligations to retain some data in connection with its statutory obligations as a public authority. It is permitted to retain data in order to defend or pursue claims. In some cases the law imposes a time limit for such claims (for example 3 years for personal injury claims or 6 years for contract claims). The Council will retain some personal data for this purpose as long as it believes it is necessary to be able to defend or pursue a claim.

In general, the Council will endeavour to keep data only for as long as we need it. This means that it will be deleted when it is no longer needed.

Your rights and your personal data

You have the following rights with respect to your personal data: when exercising any of these rights, in order to process your request, the Council may need to verify your identity for your security. In such cases it will need you to respond with proof of your identity before you can exercise these rights.

1) The right to access personal data the Council holds on you

- At any point you can contact the Council to request the personal data it holds on you as well as why it has that personal data, who has access to the personal data and where it obtained the personal data from. Once the Council has received your request it will respond within one month.
- There are no fees or charges for the first request but additional requests for the same personal data or requests which are manifestly unfounded or excessive may be subject to an administrative fee.

2) The right to correct/update the personal data the Council holds on you

- If the data the Council holds on you is out of date, incomplete or incorrect, you can inform the Council and your data will be updated.

3) The right to have your personal data erased

- If you feel that the Council should no longer be using your personal data or that it is unlawfully using your personal data, you can request erasure of the personal data held.
- When the Council receives your request it will confirm whether the personal data has been deleted or the reason why it cannot be deleted (eg because it is needed to comply with a legal obligation).

4) The right to object to the processing of your personal data, or to restrict the use of it to certain purposes only

- You have the right to request that the Council stop processing your personal data or ask it to restrict processing. Upon receiving the request the Council will contact you and let you know if it is able to comply or if it has a legal obligation to continue to process your data.

5) The right to data portability

- You have the right to request that the Council transfer some of your data to another data controller. It will comply with your request, where it is feasible to do so, within one month of receiving your request.

6) **The right to withdraw your consent to the processing at any time for any processing of data to which consent was obtained**

- You can withdraw your consent easily by telephone, email or by post.

7) **The right to lodge a complain with the Information Commissioner's Office**

- You can contact the Information Commissioner's Office on: 0303 123 1113, or via email at: <https://ico.org.uk/global/contact-us/email/>, or by post at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

Access of data from abroad

The Council's website is accessible from overseas so on occasion some personal data (eg in a newsletter or photo) may be accessed from overseas.

Further processing

If the Council wish to use your personal data for a new purpose, not covered by this document, then it will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, it will seek your consent to the new processing.

Changes to this notice

The Council keeps this document under regular review and will place any updates on its website.

Contact details

Please contact the Council if you have any questions about this document, or the personal data the Council holds about you, or to exercise your relevant rights, queries or complaints:

This policy will be reviewed on an annual basis at the Parish Councils December meeting of each year.

The policy may also be reviewed if legislation changes or if monitoring information suggests that policy or practices should be altered

Created: Dec 2022

Revised: N/A

Adopted: 20/12/2022

Next review: Annually – Parish Council December meeting