

# **DITCHEAT PARISH COUNCIL**

## **PRIVACY NOTICE**

All public and private organisations are legally obliged to protect any personal information they hold and Ditchheat Parish Council (DPC) is committed to protecting your privacy. In particular, DPC recognises its responsibility to comply with the Data Protection Act 1998 (DPA) and the General Data Protection Regulation 2018 (GDPR) which regulate the use of personal data.

As a local authority, DPC has procedures in place to ensure that it complies with the DPA and the GDPR. The Parish Clerk has received training for this role, as required.

DPC is registered as a data controller under the DPA (ICO registration 00013971323) as we collect and process personal information about you, as members of the public, as well as about councillors.

### **Personal data – what is it?**

“Personal data” is any information about a living individual which allows them to be identified from that data (for example a name, address, date of birth, telephone number, and email address). Identification can be by the information alone or in conjunction with any other information in the data controller’s possession or likely to come into such possession.

### **What personal data is held?**

The DPA sets high standards for the handling of personal information and the protection of individuals’ rights to privacy. It also regulates how information can be collected, handled and used and applies to anyone holding information about people, whether in electronic or paper form.

The Parish Clerk holds the following:

- An electronic copy of the Electoral Register for the Parish.
- Planning Applications for the Parish and personal information held within them.
- Names, addresses, telephone numbers & email addresses which have been voluntarily given to DPC for communication purposes.
- Bank details for grant payments.
- Information volunteered to DPC in relation to a query or complaint.

### **Where is personal data stored?**

- The DPC laptop is located at the Parish Clerk’s home address. The laptop is password protected and backed up with backups being stored on a cloud-based data storage handler (iCloud).
- Paper documents are also stored and managed by the Parish Clerk at their home address.
- The laptop and paper documents are kept in secure locations and are not available for public access.

## **Clear Communication**

DPC will comply with the DPA and the GDPR requirements that the information provided to people about how we process their personal data must be concise, transparent, intelligible and easily accessible, written in clear and plain language.

## **Collecting Data**

DPC recognises its responsibility to be clear with people when collecting their personal details. This means that staff must be clear about why they want a particular piece of information and ensure that it will only be used for the purpose for which it has been given and will not be disclosed to anyone else. Data may be collected via information given to DPC via DPC's website which displays this Privacy Notice.

### **DPC and the GDPR say that the personal data we hold about you must be:**

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept and destroyed securely including ensuring that appropriate technical and security measures are in place to protect your personal data to protect personal data from loss, misuse, unauthorised access and disclosure.

### **We use 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 we 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, and/or telephone.
- To help us to build up a picture of how we are performing;
- To prevent and detect fraud and corruption in the use of public funds and where necessary for the law enforcement functions;
- To enable us to meet all legal and statutory obligations and powers including any delegated functions;
- To carry out comprehensive safeguarding procedures (including due diligence and complaints handling) in accordance with best safeguarding practice from time to time with the aim of ensuring that all children and adults-at-risk are provided with safe environments and generally as necessary to protect individuals from harm or injury;
- To promote the interests of DPC;
- To maintain our own accounts and records;
- To seek your views, opinions or comments;
- To notify you of changes to our facilities, services, events and staff, councillors and other role holders;
- 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 for goods and services supplied to DPC.
- To allow the statistical analysis of data so we can plan the provision of services.

### **What is the legal basis for processing your personal data?**

- DPC 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 DPC's statutory functions and powers. Sometimes when exercising these powers or duties it is necessary to process personal data of residents or people using DPC's services. We will always take into account your interests and rights. This Privacy Notice sets out your rights and DPC's obligations to you.

- We 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.
- Sometimes the use of your personal data requires your consent. We will first obtain your consent to that use.

### **Sharing your personal data**

- Your personal information will NOT be sold or disclosed to any third parties unless required by law or with your written consent.
- It may be necessary for DPC to view certain personal data when considering planning applications.
- Information volunteered to us by you in relation to queries or complaints may be viewed by DPC.

### **How long do we keep your personal data?**

- We will keep some records permanently if we are legally required to do so. We 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 8 years to support HMRC audits or provide tax information. We may have legal obligations to retain some data in connection with our statutory obligations as a public authority. DPC 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). We will retain some personal data for this purpose as long as we believe it is necessary to be able to defend or pursue a claim. In general, we will endeavour to keep data only for as long as we need it. This means that we will delete it 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 the rights listed below, in order to process your request, we may need to verify your identity for your security. In such cases we will need you to respond with proof of your identity before you can exercise these rights.

#### **The right to access the personal data we hold on you**

- At any point you can contact us to request the personal data we hold on you as well as why we have that personal data, who has access to the personal data and where we obtained the personal data from. Once we have received your request, we 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 refused or subject to an administrative fee.

#### **The right to correct and update the personal data we hold on you**

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

#### **The right to have your personal data erased**

- If you feel that we should no longer be using your personal data or that we are unlawfully using your personal data, you can request that we erase the personal data we hold.
- When we receive your request, we will confirm whether the personal data has been deleted or the reason why it cannot be deleted (for example because we need it for to comply with a legal obligation).

## **The right to object to the processing of your personal data**

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

## **The right to lodge a complaint with the ICO**

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

## **Further processing**

- If we wish to use your personal data for a new purpose, not covered by this Privacy Notice, then we 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, we will seek your prior consent to the new processing.

## **Changes to this notice**

- We keep this Privacy Notice under regular review, and we will place any updates on our website <http://www.ditcheatparishcouncil.org.uk>. This Notice was last updated in December 2018.

## **Contact Details**

- Please contact us if you have any questions about this Privacy Notice or the personal data, we hold about you or to exercise all relevant rights, queries or complaints.
- Parish Clerk Telephone Number: - 01749 860443
- Parish Council Email Address: - [clerk@ditcheatparishcouncil.org.uk](mailto:clerk@ditcheatparishcouncil.org.uk)

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