

Hermitage Parish Council General Privacy Notice Adopted 15th August 2019

This document sets out how Hermitage Parish Council will use or store any data it may hold which is of a personal nature eg telephone numbers, email addresses, and could be used to identify you. The document also gives a description of what personal data the council processes, for what purposes, the rights you have and the obligations of the council.

1. What is personal data

Personal data is any information about a living individual which allows them to be identified eg a name, photograph, video, email address, or address. Identification can be from using the data directly or by combining it with other information which helps to identify a person. How personal data is gathered, held or used is governed by relevant legislation in the United Kingdom including the General Data Protection Regulation (GDPR) and other legislation such as the Human Rights Act.

2. Data Controllers

Hermitage Parish Council has appointed the Parish Clerk as its Data Controller. She can be reached at hermitagepc@outlook.com.

In the course of business, the council may work with others who hold data such as, but not necessarily only, parish councils, West Berkshire Council and other district councils, community groups, charities and other not for profit organisations, contractors and credit reference agencies.

It may be necessary for HPC to share personal data it holds to enable others to carry out their duties to the council. If the council and other bodies are processing your data jointly for the same purpose, then the council and the other data controller(s) may be joint data controllers which means there is a collective responsibility to you for your data. When other parties are processing your data for their own independent purposes each party will be independently responsible to you. 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 to the relevant data controller.

3. What personal data does the council hold

HPC may process some or all of the following personal data where necessary to perform its tasks:

- a. Names, titles, and aliases, photographs;
- b. Contact details such as telephone numbers, addresses, and email addresses;
- c. Where they are relevant to the services provided by the council, or where you provide them to us, we may process information such as gender, age, marital status, nationality, education/work history, academic/professional qualifications, hobbies, family composition, and dependants.

4. How the council may use sensitive personal data

The parish council will only use sensitive personal data when necessary and appropriate, as listed:

- a. Information about physical or mental health or condition of anyone working for the council in order to monitor sick leave and take decisions about fitness for work;
- b. In order to comply with legal requirements and obligations to third parties.

These types of data are described in the GDPR as Special categories of data and require higher levels of protection. Data Controllers need to have further justification for collecting, storing and using this type of personal data.

The council may process special categories of personal data in the following circumstances:

- c. In limited circumstances, with your explicit written consent;
- d. Where it needs to carry out any legal obligations;
- e. Where it is needed in the public interest.

Less commonly, this type of personal data may be processed if needed in relation to legal claims or to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

The council may also use your personal data to:

- f. 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;
- g. To confirm your identity to provide some services;
- h. To contact you by post, email, telephone or using social media (e.g., Facebook, Twitter WhatsApp, mailchimp, surveymonkey);
- i. To help us to build up a picture of how we are performing;
- j. To prevent and detect fraud and corruption in the use of public funds and where necessary for the law enforcement functions;
- k. To enable us to meet all legal and statutory obligations and powers including any delegated functions;
- l. To carry out comprehensive safeguarding procedures (including due diligence and complaints handling) in accordance with best safe guarding 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.
- m. To promote the interests of the council;
- n. To maintain our own accounts and records;
- o. To seek your views, opinions or comments;
- p. To notify you of changes to our services, events and staff, councillors and other role holders;
- q. 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;
- r. To process relevant financial transactions including grants and payments for goods and services supplied to the council;
- s. To allow the statistical analysis of data so we can plan the provision of services.

5. Does HPC need your consent to process your sensitive personal data?

In limited circumstances the council may approach you for your written consent to allow it to process certain sensitive personal data. In that case, full details of the personal data required and why it is needed will be provided so that you can consider carefully whether you wish to consent.

The council will comply with data protection law. This says that the personal data held about you must be:

- a. Used lawfully, fairly and in a transparent way;
- b. Collected only for valid purposes that have been clearly explained to you and not used in any way that is incompatible with those purposes;

- c. Relevant to the purposes you have been told about and limited only to those purposes;
- d. Accurate and kept up to date;
- e. Kept only as long as necessary for the purposes we have told you about;
- f. 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.

6. Is processing your personal data legal?

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 the council's 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 take into account your interests and rights.

Sometimes the use of your personal data requires your consent. On such an occasion your consent will be requested .

7. 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 way 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:

- a. Our agents, suppliers and contractors, such as a commercial provider to maintain our database software;
- b. On occasion, other local authorities or not for profit bodies with which we are carrying out joint ventures eg in relation to facilities or events for the community.

8. How long is your personal data kept?

Some records will be kept permanently if that is a legal requirement; other records may be held for an extended period. For example, it is currently best practice to keep financial records for a minimum period of eight years to support HMRC audits or provide tax information. There may be legal obligations to retain some data in connection with statutory obligations as a public authority. The council 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 three years for personal injury claims or six years for contract claims). Some personal data may be retained for this purpose. In general, the council will endeavour to keep data only for as long as required. It will delete it when no longer needed.

9. Your rights and your personal data

Your rights with respect to your personal data are listed below. When exercising any of these rights, 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.

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.

a. The right to access personal data we hold on you

At any point you can contact the council's Data Controller to request the personal data held on you as well as why it is held, who has access to the data and where it was obtained from. Once your request has been received it will be responded to within one month.

b. 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 the Data Controller and your data will be updated.

c. 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 your request is received you will receive confirmation on 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).

d. The right to object to processing of your personal data or to restrict it to certain purposes only

You have the right to request that the council stops processing your personal data or ask to restrict processing. When the Data Controller receives a request she will contact you to let you know if your request can be complied with or if there is a legal obligation to continue to process your data.

e. The right to data portability

You have the right to request that some of your data is moved to another controller. Where it is feasible to do so, this request will be complied with within one month of receiving your request.

f. 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 by contacting the council's Data Controller.

g. The right to lodge a complaint with the Information Commissioner's Office

You can contact the government's Information Commissioners Office to lodge a complaint about Hermitage Parish Council. All contact details are at the end of this document.

10. Transfer of Data Abroad

In the unlikely event that a request for personal data is received from another country, it will only be transferred to countries or territories outside the European Economic Area where it can be placed on systems complying with measures giving equivalent protection of personal rights either through international agreements or contracts approved by the European Union. HPC's website is also accessible from overseas so, on occasion, some personal data may be accessed from overseas.

11. Further processing

If the council needs to use your personal data for a new purpose, not covered by this Privacy Notice, then it will provide you with a notice. This will explain the new use before starting the processing and set out the relevant purposes and processing conditions. Where and whenever necessary, the council will seek your prior consent to the new processing.

12. Changes to this notice

This Privacy Notice is kept under regular review. Any updates on will be placed on Hermitage.org.uk

Contact Details

Please contact HPC 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 at:

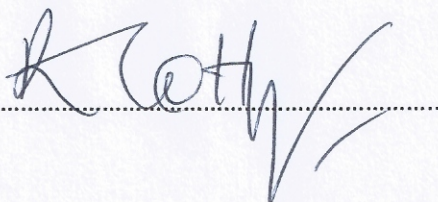
The Data Controller, Hermitage Parish Council, Penwood, Down End, Chieveley. RG20 8TS

Email: hermitagepc@outlook.com

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.

Adopted by Hermitage Parish Council on 15th August 2019

Signed by Chairman

A handwritten signature in blue ink, appearing to read 'R. Roth', is written over a dotted line.