

# Privacy Notice for Nafferton Parish Council

## Introduction

All public authorities, no matter how small, must abide by the new General Data Protection Regulations (GDPR) that came into effect on 25<sup>th</sup> May 2018. These regulations govern how personal data can be obtained, stored and processed.

## What is personal data?

Personal data is any information about a living individual that allows them to be identified from that data (for example a name, address, photograph or email address). Data can also be classed as personal if it can be combined with other data to identify an individual (for example an ID number which can be looked up on a separate list to gain personal data).

Some data about an individual is classed as sensitive and this class of data requires a higher level of protection and we need further justification to collect, process and store this information. Examples of sensitive data are (but not limited to) racial or ethnic origin, political beliefs, trade union affiliation or sexual orientation. The council very rarely needs to collect, process or store this class of information and we will contact you specifically to request your consent. An example of where information of this type may be required is for the register of councillor's interests.

## What do we use the information for?

We will use the information we collect for 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 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 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 the council
- To allow the statistical analysis of data so we can plan the provision of services.

## **What information do we hold and use?**

We try to keep to a minimum any personal data collected, stored and processed.

The council may collect, store and process some or all the data below where necessary to perform its tasks:

- Personal data such as
  - Name,
  - Address,
  - Phone number,
  - Email Address,
  - Photographs
  - Video, including CCTV images
- Where they are relevant to the services provided by a 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,
  - dependants;
- In certain circumstances (such as applying to join the council) sensitive data such as
  - Trade union affiliations,
  - Business interests
  - <any more?>

## **On what grounds do we use the information?**

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. We will always take into account your interests and rights.

This Privacy Notice sets out your rights and the council'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. An example of this would be processing your data in connection with the use of sports facilities, or the acceptance of an allotment garden tenancy.

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

## **How do we collect this information?**

Information could be collected in any of the following ways:

- Correspondence submitted directly to the Parish Council
  - Via the Contact Us form on the Nafferton.net website
  - Letter
  - Email
- Photograph from community events run or sponsored by the Parish Council
- Use of services provided by the Parish Council e.g. free Wi-Fi as the Recreation Club

## **Who we share your information with?**

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 we may need to share your data with some or all of the following (but only where necessary):

- East Riding of Yorkshire Council
- Community groups or other charities
- Our agents, suppliers and contractors. For example, we may ask a commercial provider to publish or distribute newsletters on our behalf, or to maintain our database software;
- On occasion, other local authorities or not for profit bodies with which we are carrying out joint ventures e.g. in relation to facilities or events for the community.

## **How long do we store it and is it secure?**

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. 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 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.

All data in an electronic format is stored on the council's laptop which is password protected, runs up to date anti-virus and firewall software and is in the custody of the council's clerk. Some data may be stored using online cloud services, these services are all

secured and provided by reputable service providers (currently Microsoft), the data never leaves the jurisdiction of the European Economic Area (EEA), is encrypted while stored and requires a username and password to access.

All data in other physical formats (for example written correspondence) is stored in locked cabinets in the clerk's office.

## **What rights do you have?**

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.

1. The right to access personal data we hold on you
  - a. 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.
  - b. 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 and update the personal data we hold on you
  - a. If the data we hold on you is out of date, incomplete or incorrect, you can inform us and your data will be updated.
3. The right to have your personal data erased
  - a. 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.
  - b. 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).
4. The right to object to processing of your personal data or to restrict it to certain purposes only
  - a. 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.
5. The right to data portability
  - a. You have the right to request that we transfer some of your data to another controller. We 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 at any time for any processing of data to which consent was obtained
  - a. You can withdraw your consent easily by email, or by post (see Contact Details below).

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

## **Where can I find out more?**

If you want to know more about how the council uses information, your rights or have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance;

Email: [dpo@naffertonpc.org.uk](mailto:dpo@naffertonpc.org.uk) or [clerk@naffertonpc.org.uk](mailto:clerk@naffertonpc.org.uk)

By Mail: Data Protection, Breezy Cottage, Kelk. YO25 8HN

Alternatively, you can contact the Information Commissioners Office:

Phone: 0303 123 1113

Online: <https://ico.org.uk/global/contact-us/email/>

By Mail: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.