

WILBERFOSS PARISH COUNCIL

PRIVACY NOTICE

The UK General Data Protection Regulation (UK GDPR) principles include a requirement on a Data Controller to be 'transparent' about the personal information processing that we do.

This is supported by the UK GDPR 'right to be informed' about the processing when data is being collected directly by us, and when it is being collected indirectly (i.e. from another organisation).

In short, we must not do anything with personal data without having taken steps to inform the individuals about it. To process without informing is a breach of the law unless the Data Protection Act provides a valid exemption.

Who we are

This Privacy Notice is provided to you by Wilberfoss Parish Council which is the data controller for your data.

Other data controllers the council works with:

- Local authorities
- Community groups

We may need to share your personal information that we hold with them so they can carry out their responsibilities to the council. If we 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 mean we are all collectively responsible for your data. Where each of the parties listed are processing your data for their own independent purposes then each of us 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 to the relevant data controller.

What is personal information?

Personal information is any information about a living individual which allows them to be identified from that data (for example a name, photographs, videos, email 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.

What personal information will we collect and process about you?

Whenever we ask for your personal information we will always make sure that it is necessary to identify you from the data we collect. If we do need to identify you we will make sure that we only collect and use the minimum details we need for the specific purpose.

We may receive your personal information when you: phone, email us, submit your details via the Wilberfoss Parish Council website and our Facebook page or apply for one of our contracts, jobs or parish councillor positions.

We will collect the following information about you:

- Contact details such as names, title, addresses, telephone numbers, personal email addresses
- Photographs/videos on the website, parish council Facebook page and in the village newsletter

We will collect the following information about employees:

- Personal contact details such as names, title, addresses, telephone numbers, personal email addresses
- Date of birth
- National Insurance number
- Bank account details
- Employment records
- Disciplinary and grievance information
- Salary, annual leave
- Photograph

We will collect the following information about parish councillors:

- Personal contact details such as names, title, addresses, telephone numbers, personal email addresses
- Photograph
- Bank details for expense claims
- Declarations

We will collect the following information about suppliers/contractors:

- Contact details such as names, title, addresses, telephone numbers, business or personal email addresses
- Bank details quotes, invoices and receipts

How we use sensitive personal data (Special Category data)

We may process sensitive personal data including, as appropriate: - information about your health in order to monitor sick leave and take decisions on your fitness for work. This is most likely for an employee of the parish council.

Special Categories of data include: racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data, health data, gender, sexual orientation. Not all of these will be processed by the parish council. If there is a legitimate purpose to process any special category information it will be necessary for the parish council to have a lawful basis (see below).

Where do we get your personal information from?

- From you when you disclose your personal data via our online form on the website or contact the Clerk or a Councillor directly.
- From you when you become a Parish Councillor or Parish Clerk.
- From you if you deliver a service for the Parish Council.

How do we use your personal information?

We set out in the privacy notice all the purposes for which we may process your personal information, identifying the legal basis and those external parties to whom we may disclose that personal information.

- To perform all tasks associated with the recruitment and administration of employees and parish councillors;
- To communicate regarding Parish business;
- To publish articles in the village newsletter and on our Facebook page;
- To provide you with the information that you request from us and to respond to your information rights request, enquiry or complaint;
- To ensure that content is presented in the most effective manner for you and is cross platform and browser compatible;
- To analyse the information we collect so that we can administer, support and improve our services;
- To prevent and detect crime and fraud.

We may contact you by email, letter or phone. If you change your mind about being contacted in the future by any of these means then please contact us at clerk@wilberfoss-pc.gov.uk or phone 01759 380123.

We may also get your information from a third party:

- Electoral Register is provided to the Parish Council by Electoral Services.

Who do we share your personal information with?

- Other local authorities
- Our professional advisers and service providers with whom we work collaboratively to bring you services and information you have requested. In all circumstances this will be made clear at the time of collecting your data.
- HMRC for the purposes of employee payroll
- If Wilberfoss Parish Council or substantially all of its assets are acquired by a third party, in which case personal data held by us about you will be one of the transferred assets
- If we are under a duty to disclose or share your personal information in order to comply with any legal obligation or in order to enforce or apply our Terms & Conditions. This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction.

Where we store your personal information

All information you provide to us via email and our online form is stored on a secure server located within the European Economic Area (EEA).

How long do we keep your personal information?

We will only keep your personal information within the timeframes allowed by law and for so long as is necessary to comply with our legal obligations.

What is the legal basis for using your personal information?

We process your personal information lawfully and fairly in accordance with data protection laws. We may process your personal information where we are:

- Performing our business functions and activities generally
- Providing services to you
- In receipt of your consent to our processing of your personal information
- Presented with a legal obligation to do so or we have a legitimate interest to do so, for example, on a business sale or for fraud prevention purposes

Consent – Article 6(1)(a): For resident's names, contact details, photographs and videos to be used in publications issued via the village newsletter, website and Facebook articles.

Legal Obligation – Article 6(1)(e): In the case of Employee Records (Payroll), the Council is required to maintain accurate payroll data and disclose information to HMRC.

Legitimate Interests – Article 6(1)(f): Employee training records and other performance data is held to ensure Council staff maintain skill levels and maintain essential levels of knowledge on current legislation and operational requirements.

Legal Obligation – Article 6(1)(e): In line with the Council's own policy of transparency, and in line with the Nolan Principles governing the Code of Conduct for Councillors, details of Councillors and a register of their interests is maintained and available online for public scrutiny.

Legal Obligation – Article 6(1)(e): Members of the Parish Council are required to sign an acceptance of the responsibilities and duties of those holding public office and this includes acceptance of the published Code of Conduct.

Public Interest – Article 6(1)(e): Members of the Council and Officers rely on data within the Electoral Register in order to discharge a number of statutory duties conferred on the Parish Council by Act of Parliament.

Contract – Article 6(1)(b): Members of the Council and Officers may be involved in the purchase or acquisition of services from suppliers who are operating as sole traders, and this process may involve selection and performing statutory or financial checks on such suppliers that necessitates the collection and processing of personal data before entering into a contract and the retention of personal data necessary for the performance of that contract.

Public Interest – Article 6(1)(e): Minutes and proceedings of the Wilberfoss Parish Council are available as a matter of public record. Whilst most of this material does not contain personal data the Council reserves the right to retain data that does fall under the UK GDPR definition of personal data where the data concerned is material to Council business except where the retention of that data would be contrary to the rights and freedoms of the data subject involved.

Public Interest – Article 6(1)(e): Details of residents within the parish may be retained and processed by Members of the Council and Officers in order to send and request information from individuals where communication with those residents is required in carrying out the duties and business of the Parish Council.

Public Interest – Article 6(1)(e): The Council has a responsibility to represent the interests of residents of the Parish in such circumstances and consideration of the associated documentation is necessary to carry out this duty.

Your rights under UK GDPR

- **Access to personal information**

Individuals who are the subject of personal data held by Wilberfoss Parish Council are entitled to:

- Ask what information we hold about them and why
- Ask how to gain access to it
- Be informed how to keep it up to date
- Be informed how we are meeting our data protection obligations

If an individual contacts us requesting this information, this is called a Subject Access Request (SAR). SARs from individuals should preferably be made by email, addressed to clerk@wilberfoss-pc.gov.uk but can also be made verbally and noted down in writing by the clerk.

We will respond to SARs within one month as is the requirement under the UK GDPR. We will always verify the identity of anyone making a SAR before handing over any information.

- **Correcting personal information**

Individuals may ask us to correct any personal information about them that is inaccurate, incomplete or out of date.

- **Deletion of personal information**

Individuals have the right to ask us to delete personal information about them where:

- You consider that we no longer require the information for the purposes for which it was obtained
- We are using that information with your consent and that consent has been withdrawn
- You have validly objected to our use of their personal information

- Our use of your personal information is contrary to law or our other legal obligations

- **Objecting to how we may use personal information**

Individuals have the right at any time to require us to stop using their personal information for direct marketing purposes.

- **Restricting how we may use personal information**

In some cases, individuals may ask us to restrict how we use their personal information. This right might apply, for example, where we are checking the accuracy of personal information that we hold or assessing the validity of any objection made by an individual to our use of their information. The right might also apply where there is no longer a basis for an individual's personal information, but they do not want us to delete the data. Where this right is validly exercised, we may only use the relevant personal information with the individual's consent, for legal claims or where there are other public interest grounds to do so.

- **Withdrawing consent to using personal information**

Where we use personal information with individual consent the individual may withdraw that consent at any time, and we will stop using that personal information for the purpose(s) for which consent was given.

For queries as to whether the UK GDPR applies to the processing of your personal information or, if the UK GDPR does apply, and you wish to exercise any of these rights then please contact us. Please use the Contact information on our website.

Changes to our privacy notice

We keep this privacy notice under regular review and will place any updates on this website.

Complaints

We seek to directly resolve all complaints about how we handle personal information. If you are dissatisfied with how we handle your complaint you also have the right to lodge a complaint with the ICO (Information Commissioner's Office) who are the regulators of data protection laws. They can be contact via their website <https://ico.org.uk/make-a-complaint> or phone 0303 123 1113.