



# WILLAND PARISH COUNCIL

## General Data Protection Regulations – Privacy Policy

### INTRODUCTION

Willand Parish Council is registered as a Data Controller with the Information Commissioners Office (ICO) under the General Data Protection Regulations as it collects and processes information, including personal information, in relation to residents, Council staff, Councillors, suppliers, service users and other members of the public.

The General Data Protection Act 1998 and General Data Protection Regulations 2018 regulate the use of all personal data and how that information can be collected, handled and used. Willand Parish Council holds the information in order that a public service can be provided to its residents in the most efficient and effective way. It has a duty to the people whose information it holds to ensure this is processed correctly and kept responsibly, safely and securely.

The Parish Council's registered address is 16 Tudor Grove, Cullompton, EX15 1XG.

This policy explains how the Parish Council collects and uses your information.

### 1. What information is collected

Personal data may be collected about you either directly from you, via email or through the Parish Council website and covers such details as title, name, address, telephone number and email address. We may also collect some sensitive information such as age, gender, marital status, nationality, education/work history, qualifications, bank account details etc... (this list is not exhaustive). We will only collect this information when it is relevant to the services provided by the Council or where you provide them to us.

When required we will explain to you why and how the information will be used. The General Data Protection Regulations 2018 state that all information provided on how personal data is processed must be concise, transparent, intelligible and easily accessible. It must also be written in clear language and be free of charge.

The Parish Council must process personal data fairly and lawfully in accordance with individuals' rights. This generally means that we should not process personal data unless the individual whose details are being processed has consented to this happening.

### 2. Why is the information collected

Information is collected for administrative, financial, statutory and legislative purposes so that the Council can perform its obligations. The Council is required to comply with the legal, regulatory and corporate governance requirements set out in legislation and its own policies and procedures. The Council collects information for operational reasons to ensure services are delivered appropriately and safely.

### 3. How the Council uses your information

The Parish Council uses your personal data for the following reasons:

- To allow the Council to communicate with its residents and provide services and benefits appropriate to their needs
- To comply with its legal obligations
- To prevent and detect fraud and/or crime
- For the purpose an individual provided the information
- To pay staff, contractors and suppliers
- To process financial transactions
- To maintain its own accounts and records
- To protect individuals from harm or injury
- To assist in building a picture of emerging and future needs for the Parish and its residents and businesses

Personal Data will not normally be shared with organisations other than our partner organisations without your consent except in the following circumstances:

- Where the Council is required to do so by law
- To safeguard public safety
- Where there is good reason to believe that an individual or group of individuals would be at risk of harm if the information were not shared

Where it is necessary to pass information on to a third party only the minimum information required will be shared and steps taken to protect personal data.

The Council will not pass your information to external organisations for marketing or commercial purposes without your prior express consent.

#### **4. How the information is stored**

Data is mostly stored electronically, and all computers are password protected with appropriate anti-virus software in place. Access to electronic files is only provided to those staff and Councillors who need it for the performance of their duties. Any paper records are securely stored at the Parish's registered address.

The information provided will be subject to rigorous measures to make sure that it cannot be accessed or disclosed to anyone who should not see it.

The Council provides training to Councillors, Staff and Volunteers who handle personal information.

#### **5. How long do we keep your records**

Once the data is no longer required it will be shredded or deleted from the electronic records. Some records have to be retained for longer or permanently to comply with the law, even after the service is no longer relevant to the person, or to defend any claims against the Council which may be made within the timescales set out in law.

The Council will not keep your information for longer than needed or beyond the requirements of the law if this is longer.

## 6. Your Rights

You have a number of rights under the data protection law:

- Right to be informed – the Council must be completely transparent by providing information in a concise, transparent, intelligible and easily accessible form, using clear and plain language.
- Right of Access – you have the right to access your personal information except where it contains confidential information about other people and the Council has to balance the rights of other individuals, or the information may prejudice an investigation if disclosed.
- Right to Rectification – You have the right to request rectification or updating of inaccurate personal data.
- Right to Restrict Processing – you can ask for there to be a restriction of processing such as where the accuracy of the data is contested. In such instances the Council may only store data and process it further in limited circumstances.
- Right to Object – You can object to certain types of processing such as direct marketing, processing for scientific, historical research or statistical purposes, although processing may still be carried out for reasons of public interest.
- Right to have an automated decision reviewed – where a decision is taken without human intervention you can request that it is reviewed by an appropriate person, this does not apply in some circumstances such as where you have given explicit consent to an automated decision.
- Right to data portability – you have the right to have your data transferred where this is technically possible.
- Right to erasure (Right to be forgotten) - you can request removal of your personal data when:
  - It is no longer necessary for the purposes it was collected and processed
  - You no longer provide your consent and there are no other legal grounds for processing
  - You object to the processing and there are no legitimate grounds for processing

To exercise these rights you should put your request in writing, with proof of identification, to the Parish Clerk: Mrs Debbie Bird, 16 Tudor Grove, Cullompton, EX15 1XG.

## 7. Further Information

For further information see the Information Commissioners Website: <https://ico.org.uk/>

## 8. Review

This policy was adopted on the 13<sup>th</sup> July 2023 and will be reviewed and updated annually.