

BOROUGH GREEN PARISH COUNCIL



ESTABLISHED 1934

Data Privacy, Use and Retention Policy

August 2020

Adopted 7th September 2020

Minute 122 (c)

Chairman: Francis Michael Taylor

Proper Officer/Responsible Financial Officer: Bernard Galopin

Introduction

As a public authority, Borough Green Parish Council will have access to personal data. The purpose of this document is to set out how the Council will store, use and retain personal data. Other data controllers the Council works with include the following:

- Local Authorities
- Contractors

The Council may need to share personal data that we hold with them so that they can carry out their responsibilities. If we and the other data controllers are processing personal data jointly for the same purposes, then the Council and the other data controllers may be "joint data controllers". This means that we are collectively responsible to you for your personal data.

Where each of the parties listed above 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.

The Council will process the following personal data where necessary to perform its tasks:

- Names & Titles;
- Contact details such as telephone numbers, addresses, and email addresses;
- Where you pay for activities e.g. use of a council hall then financial identifiers, i.e. bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers, and claim numbers.

The Council will comply with data protection law. This means that the personal data we hold must be:

- Used lawfully, fairly and in a transparent way, i.e. justified.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes, i.e. necessary and proportionate.
- 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 contact you by post, email, telephone or using social media (e.g. Facebook, Twitter, WhatsApp);
- To maintain our own accounts and records;
- To notify you of changes to our facilities, services, events and staff, councillors and other role holders;
- 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.

Our processing may also include the use of CCTV systems for the prevention and prosecution of crime.

What is the legal basis for holding, processing and retaining your personal data?

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 and ensure there are sufficient safeguards in place. This Privacy Notice sets out your rights and the Council's obligations to you.

We may process personal data if it is necessary and proportionate 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. The legal framework in which the Council operates within includes: The Human Rights Acts 1998 (Article 8 – Right to privacy), the Freedom of Information Act 2000 and the Data Protection Act 2018.

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 manner in which they process and protect your personal data. It is likely that we will need to share your data with some or all of the following (but only where necessary):

- The data controllers listed above under the heading “Other data controllers the Council works with”;
- 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 retain your personal data?

We will keep some records permanently if we are legally required to do so, e.g. financial records are retained 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. 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 information will be held securely and disposed of confidentially.

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 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 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 inaccurate 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 (e.g. legal compliance).

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 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 withdraw your consent to the processing of personal data at any time

- You can withdraw your consent easily by telephone, email, or by post (see contact details below).

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

- 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.

Changes to this notice

We keep this Privacy Notice under regular review and we will place any updates on www.wrothampc.kentparishes.gov.uk

This Notice was last updated on 20th August 2020.

Contact Details

Please contact Borough Green Parish Council 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:

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