**Newborough and Borough Fen Parish Council**

**Privacy Policy**

**Your personal data – what is it?**

‘Personal data’ 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 (e.g., a list of staff may contain personnel ID numbers rather than names but if you use a separate list of the ID numbers which give the corresponding names to identify the staff in the first list then the first list will also be treated as personal data).

The processing of personal data is governed by legislation relating to personal data which applies in the United Kingdom including the General Data Protection Regulation (the GDPR) and other legislation relating to personal data and rights such as the Human Rights Act.

**Who are we?**

This Privacy Notice is provided to you by Newborough and Borough Fen Parish Council which is the data controller for your data.

Other data controllers the council work alongside may include local authorities and community groups.

We may need to share your personal data we hold with them so that 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 to you for your data. Where each of the parties 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.

A description of what personal data the council processes and for what purposes is set out in this Privacy Notice.

The council will process some or all of the following personal data where necessary to perform its tasks:

* Names, titles, and aliases, photographs.
* Contact details such as telephone numbers, addresses, and email addresses.
* 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, and dependants.

How we use sensitive personal data

* We may process sensitive personal data including, as appropriate: -

information about physical or mental health/condition to monitor sick leave and take decisions on fitness for work; racial or ethnic origin or religious or similar information to monitor compliance with equal opportunities legislation, and 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. We need to have further justification for collecting, storing, and using this type of personal data.

* We may process special categories of personal data in limited circumstances, with explicit written consent and where it is necessary to carry out our legal obligations and where it is needed in the public interest.
* Less commonly, we may process this type of personal data where it is needed in relation to legal claims or where it is needed to protect yours or someone else’s interests and you are not capable of giving consent, or where you have already made the information public.

Do we need your consent to process your sensitive personal data?

* In limited circumstances, we may approach you for your written consent to allow us to process certain sensitive personal data. If we do so, we will provide you with full details of the personal data that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. The council will comply with data protection law. This says that 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 is the legal basis for processing your personal data?**

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 consider 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, or to take steps to enter 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 consent. We will first obtain your consent to that use.

**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 outlined above.
* 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 keep your personal data?

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 if it is necessary in defending or pursuing a claim. Generally, the parish council will endeavour to keep data only for as long as it is required and will delete it when no longer needed.

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 and to process your request, we may need to verify your identity for 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 calendar month.
* Fees are set out in the councils standing orders and data protection policy.
* 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 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 (for example because we need it for to comply with a legal obligation).

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 data portability

* 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 (28 dsays) of receiving your request.

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 (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.

**International data transfers**

Information that we collect may be stored and processed in and transferred between any of the countries in which we operate to enable us to use the information in accordance with this privacy policy.

If you are in the European Economic Area (EEA), information which you provide may be transferred to countries which do not have data protection laws equivalent to those in force in the EEA.

In addition, personal information that you submit for publication on the website will be published on the internet and may be available, via the internet, around the world.

You expressly agree to such transfers of personal information.

Further processing

If we wish to use your personal data for a new purpose, not covered by this Privacy Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing.

**Website Privacy**

We are committed to safeguarding the privacy of our website visitors; this policy sets out how we will treat your personal information.

**What information do we collect on our website?**

We may collect, store and use the following kinds of personal data:

1. information about your computer and about your visits to and use of this website (including your IP address, geographical location, browser type, referral source, length of visit and number of page views)
2. any other information that you choose to send to us.

**Third party websites**

The Parish Council website contains links to other websites. We are not responsible for the privacy policies or practices of third-party websites.

**Using your personal data**

Personal data submitted on this website will be used for the purposes specified in this privacy policy or in relevant parts of the website.

Where you submit personal information for publication on our website, we will publish and otherwise use that information in accordance with the licence you grant to us.

We will not without your express consent provide your personal information to any third parties for the purpose of direct marketing.

**Security of your personal data**

We will take reasonable technical and organisational precautions to prevent the loss, misuse or alteration of your personal information.

Of course, data transmission over the internet is inherently insecure, and we cannot guarantee the security of data sent over the internet.

**General**

**Amendment, Updating Information & Contact Details**

**Policy amendments**

We may update this privacy policy from time-to-time by posting a new version on our website.   You should check this page occasionally to ensure you are happy with any changes.

**Your rights**

You may instruct us to provide you with any personal information we hold about you.

**Updating information**

Please let us know if the personal information which we hold about you needs to be corrected or updated.

Contact Details

Please contact us 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:

Newborough and Borough Fen Parish Council

Clerk Email: clerk@newboroughandboroughfen-pc.gov.uk