

# **SILVERTON PARISH COUNCIL**

## **GENERAL DATA PROTECTION PRIVACY POLICY**

**Adopted: 3<sup>rd</sup> September 2018d**

### **INTRODUCTION**

Silverton Parish Council is registered as a Data Controller with the Information Commissioners Office (ICO), under the General Data Protection Regulation due to the fact that 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 Council's Data Protection Officer is the Clerk who can be contacted at [sheilawoodland@btinternet.com](mailto:sheilawoodland@btinternet.com)

The Parish Council's registered address is 40 Ellerhayes, Hele, Exeter EX5 4PU.

The Parish Council also operates a website where personal data may be collected or used and the address of the website is <https://www.middevon.gov.uk/your-council/town-parish-councils/silverton/>

The General Data Protection Act 1998 and General Protection Regulations 2018 regulate the use of all personal data (which does not have to be sensitive data) and regulates how that information can be collected, handled and used.

Silverton Parish Council holds the information in order that a public service can be provided to you in the most efficient and effective way. It acknowledges that it has a duty to the people whose information it holds to ensure the information is kept responsibly, safe, secure and that the information is processed correctly.

This notice explains how the information is used and shared.

### **WHAT INFORMATION IS COLLECTED?**

Personal data may be collected about you either directly from you, via email or through data collected via the Parish Council website and covers such details as your titles, name, address, telephone number and email addresses. It may also collect some sensitive information such as age, gender, marital status, nationality, education/work histories, qualifications, ethnicity and religious beliefs. This information will only be requested when it is relevant to the services provided by the Council or where you provide them to us.

When required Silverton Parish Council will explain to you why and how the information will be used.

The General Data Protection Regulation 2018 states that all information provided, explaining how their personal data is processed, must be concise, transparent,

intelligible and easily accessible. It must also be written in a clear language especially if addressed to children and be free of charge.

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

### **WHY IS THE INFORMATION COLLECTED?**

The purposes for which personal data may be used by the Parish Council include:

- personnel, administrative, financial, statutory and legislative purposes, payroll, consultations and business development purposes and more particularly the following:
  - \* Compliance with our legal, regulatory and corporate governance obligations and good practice
  - \* Gathering information as part of investigations by regulatory bodies or in connection with legal proceedings or requests
  - \* Ensuring Council policies are adhered to (such as policies covering email and internet use)
  - \* Operational reasons, such as recording transactions, training and quality control, ensuring the confidentiality of sensitive information, security vetting and checking
  - \* Investigating complaints
  - \* Checking references, ensuring safe working practices, monitoring and managing staff access to systems and facilities and staff absences, administration and assessments
  - \* Monitoring staff conduct, disciplinary matters
  - \* Promoting Council services
  - \* Improving services
  - \* contacting you by post, email or telephone
  - \* checking your identity in order to provide some services

### **HOW THE COUNCIL USES YOUR INFORMATION**

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

- \* to permit the Council to communicate and provide services and benefits appropriate to your needs
- \* to comply with its legal obligations
- \* to prevent and detect fraud and/or crime
- \* if appropriate for law enforcement functions
- \* for the purpose to which you provided the information
- \* to pay staff, contractors and suppliers
- \* to process financial transaction which will include grants, payments and benefits involving the council, or where the Council acts on behalf of any other Government body (i.e. Department for Work and Pensions or HMRC)
- \* maintaining its own accounts and records
- \* providing leisure services
- \* where necessary to protect individuals from harm or injury
- \* to assist in building a picture of how well the Council is performing

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
- \* in a situation where it is felt there is a good reason to believe that if the Council did not share the information this would put someone else at risk of harm

If it becomes necessary to pass the information to third parties only the minimum information required will be shared and sufficient steps will be taken to protect personal data. You will be informed should this situation arise

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

### **HOW IS THE INFORMATION STORED?**

All information relating to individuals (address, telephone numbers and email addresses) are kept in a secure location at the Parish Clerk's place of residence and are not available for the public to access. All data stored on a computer is password protected.

### **HOW LONG DO WE KEEP YOUR RECORDS**

Once the data is no longer required it will be shredded or deleted from the computer records. However some records will be retained permanently if the Council is required to do so i.e. to support HMRC audits, provide tax information or retain annual audits.

The law imposes a time limit for individuals to make claims (3 years for personal injury and 6 for contract claims). The Council will retain some personal data in order to defend any such claims should it feel it is necessary to do so.

How the Council protects your information The aim is not to be intrusive and no irrelevant, or unnecessary, questions will be asked. The information you provide will be subject to rigorous measures and procedures to make sure it cannot be seen, accessed, or disclosed to anyone who should not see it.

The Councils Data Protection Policy and Privacy Statements define commitments and responsibilities to your privacy and cover a range of information and technology security areas. The Council provides training to Councillors, staff, and volunteers who handle personal information and will take disciplinary measures if your personal information is not held correctly.

The Council will not keep your information for longer than it is needed or beyond a date where the law states how long it should be kept. Paper and electronic records will be destroyed, or deleted, when no longer required.

### **YOUR RIGHTS**

You have a number of rights under the data protection law which includes the right to request your information and to ask that the information retained be amended or erased if incorrect. If a person requests to see any data being held about them:

- \* they must be sent all information that is being held about them
- \* an explanation must be given as to why it has been stored
- \* there must be a list of who has seen the information being held
- \* the information must be provided within one month of request
- \* requests that are manifestly unfounded or excessive can be refused or a charge made to provide the information
- \* a reason must be given if a request is refused
- \* if a person asks that their data is rectified or erased this request will be carried out

To exercise these rights you should put your request in writing, together with proof of identification to the Parish Clerk, 40 Ellerhayes, Hele, Exeter EX5 4PU

You have a right to make a complaint about the handling of any personal data to the Information Commissioner's Office at <https://ico.org.uk> or by post to I.C.O. Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AD or by telephone at 0303 1231113

### **Telephone calls**

Silverton Parish Council does not record telephone conversations. There is an answerphone facility in order for you to leave a message should the call not be answered and the Parish Council advise that you do not leave any sensitive information when leaving a message but leave only sufficient details in order for your call to be returned.

### **Emails**

When emailing the Council a record may be kept of your contact details including your email address and the content of your message. The Parish Council will not use any confidential information about you contained in any email without your consent to do so.

### **FURTHER INFORMATION**

Should you require any further information relating to data protection this can be found on the Information Commissioner's Office website at <https://ico.org.uk/>

Should you have any queries or concerns relating to how your information is used please contact the Parish Clerk at the email address below

### **CHANGES TO THIS PRIVACY NOTICE**

This Policy will be reviewed annually and updated as and when necessary to reflect any changes in the law.

Sheila Woodland, Clerk and Data Protection Officer, Silverton Parish Council, 40 Ellerhayes, Hele, Exeter EX5 4PU [sheilawoodland@btinternet.com](mailto:sheilawoodland@btinternet.com) Tel: 01392 881832