

BUCKLEY TOWN COUNCIL
GENERAL PRIVACY NOTICE

PREAMBLE:

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 by 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 gives 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 United Kingdom legislation including the General Data Protection Regulation (the “GDPR”) and other legislation relating to personal data and rights, eg the Human Rights Act.

Who are we?

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

Other data controllers Buckley Town Council works with include:

- Other data controllers, such as local authorities
- Community groups
- Charities
- Other not for profit entities
- Contractors
- Credit reference agencies

The Council may need to share your personal data it holds with the above so that they can carry out their responsibilities to the Council. If the Council 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 means all are collectively responsible to you for your data. Where each of the parties listed above are processing your data for their own independent purposes then each of the bodies (including this Council) 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 GENERAL PRIVACY NOTICE:

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

- Names, titles, aliases and photographs;
- Contact details such as telephone numbers, addresses, and email addresses;
- Where they are relevant to the services provided by the Council, or where you provide them to the Council. The Council may process information such as gender, age, marital status, nationality, education/work history, academic/professional qualifications, hobbies, family composition and dependants;
- Where you pay for activities such as use of a Council room, financial identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers and claim numbers may be processed;
- The personal data the Council processes may include sensitive or other special categories of personal data such as criminal convictions, racial or ethnic origin, mental and/or physical health, details of injuries, medication/treatment received, political beliefs, trade union affiliation, genetic data, biometric data and data concerning sexual life or orientation.

How the Council uses sensitive personal data:

- The Council may process sensitive personal data including, as appropriate:
 - information about your physical and/or mental health, condition in order to monitor sick leave and take decisions on your fitness for work;
 - your racial and/or ethnic origin, or religious or similar information, in order to monitor compliance with equal opportunities legislation;
 - in order 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. The Council needs to have further justification for collecting, storing and using this type of personal data.
- The Council may process special categories of personal data in the following circumstances:
 - In limited circumstances, with your explicit written consent.
 - Where it needs to carry out its legal obligations.
 - Where it is needed in the public interest.
- Less commonly, the Council may process this type of personal data where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.

Do the Council need your consent to process your sensitive personal data?

- In limited circumstances, the Council may approach you for your written consent to allow it to process certain sensitive personal data. If it does so, the Council will provide you with full details of the personal data that it would like and the reason it needs it, so that you can carefully consider whether you wish to consent.

The Council will comply with data protection law. This says that the personal data it holds about you must be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that it has clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes it has told you about and limited only to those purposes.
- Accurate and up to date.
- Kept only as long as necessary for the purposes it has 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.

The Council uses your personal data for some or all of the following purposes:

- To deliver public services, including to understand your needs to provide the services that you request and to understand what it can do for you and inform you of other relevant services;
- To confirm your identity to provide some services;
- To contact you by post, email, telephone or using social media (e.g., the website, Facebook or Twitter);
- To help it to build up a picture of how it is performing;
- To prevent and detect fraud and corruption in the use of public funds and where necessary for law enforcement functions;
- To enable it to meet all legal and statutory obligations and powers including any delegated functions;
- To carry out comprehensive safeguarding procedures (including due diligence and complaints handling) in accordance with best safeguarding practice from time to time with the aim of ensuring that all children and adults generally are protected from harm or injury;
- To promote the interests of the Council;
- To maintain the Council's own accounts and records;
- To seek your views, opinions or comments;
- To notify you of changes to the Council's facilities, services, events, staff, Councillors and other role holders;
- 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 it can plan the provision of services. The Council's processing may also include the use of CCTV systems for the prevention and prosecution of crime.

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 the personal data of residents or people using the Council's services. The Council will always take into account your interests and rights. This Privacy Notice sets out your rights and the Council's obligations to you.

The Council may process personal data if it is necessary for the performance of a contract with you, or to take steps to enter into a contract. An example of this would be processing your data in connection with the granting of Financial Assistance and/or the granting of a Bursary.

Sometimes the use of your personal data requires your consent. The Council 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 the Council 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";
- The Council's agents, suppliers and contractors. For example, the Council may ask a commercial provider to publish or distribute newsletters on its behalf, or to maintain its database software;
- On occasion, other local authorities or not for profit bodies with which the Council is carrying out joint ventures e.g. in relation to facilities or events for the community.

How long does the Council keep your personal data?

The Council will keep some records permanently if it is legally required to do so. The Council 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. The Council may have legal obligations to retain some data in connection with its 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). The Council will retain some personal data for this purpose as long as it believes it is necessary to be able to defend or pursue a claim. In general, the Council will endeavour to keep data only for as long as it is needed. This means that the Council will delete data when it is no longer needed (please see the Town Council's Document Retention Policy).

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, the Council may need to verify your identity for your security. In such cases the Council will need you to respond with proof of your identity before you can exercise these rights.

- 1) *The right to access personal data the Council holds on you***
 - At any point you can contact the Council to request the personal data it holds on you as well as why it has that personal data, who has access to the personal data and where it obtained the personal data from. Once the Council has received your request it will respond within one calendar 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.
- 2) *The right to correct and update the personal data the Council holds on you***
 - If the data it holds on you is out of date, incomplete or incorrect, you can inform the Council and your data will be updated.
- 3) *The right to have your personal data erased***
 - If you feel that the Council should no longer be using your personal data or that it is unlawfully using your personal data, you can request that it erases the personal data it holds.
 - When the Council receives your request it will confirm whether the personal data has been deleted or the reason why it cannot be deleted (for example because the Council may need it to comply with a legal obligation).
- 4) *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 the Council stop processing your personal data or ask it to restrict processing. Upon receiving the request the Council will contact you and let you know if it is able to comply or if it has a legal obligation to continue to process your data.
- 5) *The right to data portability***
 - You have the right to request that the Council transfers some of your data to another controller. The Council will comply with your request, where it is feasible to do so, within one calendar month of receiving your request.
- 6) *The right to withdraw your consent 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).
- 7) *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.

Transfer of Data Abroad

Any personal data transferred to countries or territories outside the European Economic Area (“EEA”) will only be placed on systems complying with measures giving equivalent protection of personal rights either through international agreements or contracts approved by the European Union. [The Council’s website is also accessible from overseas so on occasions some personal data (for example in a newsletter) may be accessed from overseas]. Please note that the requirements of this section may change following the United Kingdom leaving the European Union in March 2019.

Further processing

If the Council wishes to use your personal data for a new purpose, not covered by this Privacy Notice, then it 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, the Council will seek your prior consent to the new processing.

Changes to this Notice

The Council keep this Privacy Notice under regular review and it will place any updates on its website which can be accessed via www.buckleytc.org.uk

Contact Details

Please contact the Council if you have any questions about this Privacy Notice or the personal data the Council holds about you or to exercise all relevant rights, queries or complaints at:

Data Controller: Council Offices, Buckley, Flintshire CH7 2JB

Email: mbw@buckleytc.org.uk

MBW/LG

November 2018

With acknowledgements to JDH Business Services Ltd