ALVANLEY PARISH COUNCIL

General Data Protection Regulation (GDPR) Policy

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This Policy is provided to you by Alvanley Parish Council, The data Controller

Contact Details: The Parish Clerk Alvanley PC, Email: clerk@alvanleyparishcouncil.gov.uk

1. The Purpose of this Policy

1.1. This Privacy Notice is provided to you by Alvanley Parish Council which is the data controller for your data.
1.2. The General Data Protection Regulation (GDPR) Act is the regulation that replaced the Data Protection Act 1998 and came into force on 25th May 2018.
1.3. This regulation sets out requirements for how organisations are required to handle personal data, with the aim that it will enhance the rights of people whose data is held and give them more control over what happens to their data.
1.4. Alvanley Parish Council shall only handle personally identifiable data relevant to its activities and data handlers within the Parish Council will only handle personally identifiable data relative to their role

2. Information Applicable to the GDPR Act

2.1. The GDPR applies to 'personal data', this means any information relating to an individual person who can be directly or indirectly identified by any of the personal data held 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 give the corresponding names to identify the staff in the first list then the first list will also be treated as personal data).

3. **Your Personal Data – What is it?**

3.1. "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).
3.2. Examples of personal data are:
3.2.1. Name
3.2.2. Email address
3.2.3. Phone number
3.2.4. Personal Identification Numbers, e.g. bank account, national insurance number
3.3. Identification can be the processing of personal data and 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.

4. **Personal Data we Process:**

4.1. Names, titles, aliases and photographs.
4.2. Contact details such as telephone numbers, addresses and email addresses.
4.3. Where they are relevant to the services provided by the 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 dependents.
4.4. Where you pay for activities, such as the use of a Council owned property, financial identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers and claim numbers.
4.5. Our website does not use cookies for tracking purposes. They are used solely for providing web traffic and statistical information.

5. **Processing / Use of Personal Data**

5.1. The Council will comply with data protection law. This says that the personal data we hold about you must be:

5.1.1. Data obtained for a specific and lawful reason.

5.1.2. Data processed fairly and lawfully.

5.1.3. Relevant and used only for the purpose in which it was collected.

5.1.4. Accurate and up to date.

5.1.5. Stored and kept for no longer than is necessary and is kept secure at all times, so that it is not subject to loss or damage and only accessed by those appropriate, i.e. not accessible to members of the public.

5.1.6. Kept and destroyed securely including ensuring that appropriate technical and security measures are in place to protect your personal data to protect that data from loss, misuse, unauthorised access and disclosure.

5.1.7. Processed in accordance with the rights of individuals – upon request individuals may request all of the information held in regard to them.

5.2. We use your personal data for some or all of the following purposes:

5.2.1. To deliver public services including to understand your needs to provide the services that you request and to understand what we can do for you and inform you of other relevant services.

5.2.2. To confirm your identity to provide some services.

5.2.3. To contact you by post, email, telephone or using social media (e.g. Facebook)

5.2.4. To help us to build up a picture of how we are performing.

5.2.5. To prevent and detect fraud and corruption in the use of public funds and where necessary for the law enforcement functions.

5.2.6. To enable us to meet all legal and statutory obligations and powers including any delegated functions.

5.2.7. 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-at-risk are provided with safe environments and generally as necessary to protect individuals from harm or injury.

5.2.8. To promote the interests of the council.

5.2.9. To maintain our own accounts and records. 5.2.10. To seek your views, opinions or comments.

5.2.11. To notify you of changes to our facilities, services, events and staff, councillors and other role holders.

5.2.12. 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.

5.2.13. To process relevant financial transactions including grants and payments for goods and services supplied to the Council.

5.2.14. To allow the statistical analysis of data so we can plan the provision of services.

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

6. Sensitive Data

6.1. Some Personal Data is further classified as Sensitive Personal Data. The GDPR Act requires 'sensitive data' to be treated differently. Categories of sensitive data are:

6.1.1. Racial or Ethnic Origins.
6.1.2. Political Opinions.
6.1.3. Religious Beliefs.
6.1.4. Mental and/or Physical Health Details.
6.1.5. Medication/Treatment Received.
6.1.6. Trade Union Affiliations.
6.1.7. Genetic Data.
6.1.8. Biometric Data.
6.1.9. Data concerning Sexual Life or Orientation.

6.2. Should Alvanley Parish Council come into contact with any sensitive data, this information will be processed in line with all legal obligations under the GDPR 2018 Act.

7. How we use Sensitive Personal Data

7.1. Alvanley Parish Council may process sensitive personal data as listed in point 6, as appropriate:
7.1.1. Information regarding physical or mental health or condition to monitor sick leave and take decisions on fitness for work (application mainly to Alvanley Parish Council staff members).
7.1.2. Racial or ethnic origin, religious beliefs or similar information to monitor compliance with equal opportunities legislation.
7.1.3. In order to comply with legal requirements and obligations to third parties.

7.2. 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.

7.3. Alvanley Parish Council may process 'special categories' of personal data in the following circumstances:
7.3.1. In limited circumstances, with your explicit written consent.
7.3.2. Where we need to carry out our legal obligations.
7.3.3. Where it is needed in the public interest.

7.4. 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 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.

8. Consent

8.1. 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.

9. Data Controllers

9.1. The Data controllers with whom Alvanley Parish Council work includes but is not limited to:

- Local Authorities.
- Community groups.
- Charities.
- Other not for profit entities.
- Contractors.
- Credit reference agencies.

This list can be extended as appropriate to our Data handling requirements

9.2. Alvanley Parish Council may need to share the personal data we hold regarding individuals with Data Controllers as stated in so that they can carry out their responsibilities to the council.

9.3. If Alvanley Parish Council and other data controllers are processing data jointly for the same purposes, then the Council and the other data controllers may be "joint data controllers" which means both are collectively responsible for the data.

9.4. 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.

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

9.6. Where we publish links to other websites from our website it should be noted that this policy relates to our website only, not those of any third parties.

10. The Legal Basis for Processing Personal Data?

10.1. 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.

10.2. 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. This GDPR Policy sets out your rights and the Council's obligations to you. 10.3. We 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 use of sports facilities, or the acceptance of an allotment garden tenancy.

10.4. Sometimes the use of your personal data requires your consent. We will first obtain your consent to that use.

11. Sharing your Personal data

11.1. 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.

11.2. It is likely that we will need to share your data with some or all the following (but only where necessary):

11.2.1. The data controllers listed above under the heading "Data Controllers".

11.2.2. Our 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.

11.2.3. 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.

12. Retention of Personal Data

12.1. We will keep some records permanently if we are legally required to do so. We may keep 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.
12.2. 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 as long as we believe it is necessary to be able to defend or pursue a claim.
12.3. Data will only be retained in accordance with our retention schedule.
12.4. As recommended by the Information Commissioner's Office (ICO), we will seek to undertake a data "audit" at least every three years to ensure that all unnecessary data is deleted.
12.5. When we delete hard copy data, we will do so via a secure mechanism such as shredding or by appointing a professional service.
12.6. All our elected Councillors have a "Council" email address allocated to them once elected, this is removed immediately they step down or cease to be an elected representative.
12.7. Where elected Councillors use a personal laptop, mobile phone or other form of electronic device to undertake their elected duties, we will ensure that they sign and adhere to a Council adopted policy requiring that such devices are password protected at all times and that third parties do not have access to them whilst they are elected.
12.8. Immediately any elected Councillor steps down or ceases to be an elected representative we will seek a signed confirmation that all data relating to Council business is deleted.

13. Your Rights and Your Personal Data

13.1. You have the following rights with respect to your personal data:
13.1.1. The right to access personal data we hold on you, also known as a SAR (Subject Access Request).
13.1.2. The right 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.
13.1.3. Once we have received your request, we will respond within one month.
13.1.4. 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.
13.1.5. 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.
13.1.6. 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.
13.1.7. 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).

13.1.8. The right to object to processing of your personal data or to restrict it to certain purposes only - 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.

13.1.9. 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 of receiving your request.

13.1.10. The right to withdraw your consent to process your personal data at any time for any processing of data to which consent was obtained - you can withdraw your consent via telephone, email, or by post (see Contact Details below).

13.1.11. The right to lodge a complaint with the Information Commissioner's Office (ICO)

13.1.12. You can contact the ICO on 0303 123 1113 or via email:https://ico.org.uk/global/contact-us/email/ or at the ICO, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

13.2. When exercising any of the rights listed above, 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.

14. Transfer of Data Abroad

14.1. 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 (Our website is also accessible from overseas so on occasion some personal data may be accessed from wherever).

15. Deletion of Data Request

15.1. Individuals have a right to have their personal data erased (sometime known as the 'right to be forgotten'). This is where it is no longer necessary for their personal data to be held in relation to the purpose for which it was originally collected.

15.2. If a deletion of data request is received, the Council's DPO will respond to this request within one month. The DPO has the delegated authority from the Council to delete information. If a request is considered to be unfounded then it may be refused.

16. Further Processing

16.1. If we wish to use your personal data for a new purpose, not covered by this GDPR Policy, we will provide you with a new notice explaining the 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.

17. Confidentiality

17.1. Confidentiality must be maintained when complaints or queries are made unless the subject gives permission otherwise. Staff and Councillors must also ensure that when handling personal data, this must also remain confidential.

18. Data Breaches

18.1. If at any time a data breach is identified, Alvanley Parish Council will inform the Information Commissioner's Office (ICO), and an investigation will be conducted by the DPO.
18.2. Personal data breaches that are identified by the Council or referred to it will be reported to the DPO for investigation.
18.3. The DPO will conduct an investigation with the support of the Parish Council.
18.4. Investigations will be undertaken within one month of the report of a breach.
18.5. Procedures will be put in place by the DPO to detect, report and investigate a personal data breach.
18.6. The ICO will be advised of a breach (within 3 days) where it is likely to result in a risk to the rights and freedoms of individuals – if, for example, it could result in discrimination, damage to reputation, financial loss, loss of confidentiality, or any other significant economic or social disadvantage.
18.7. Where a breach is likely to result in a high risk to the rights and freedoms of individuals, the DPO will also notify those concerned directly.

19. Changes to this Policy

19.1. We keep this Policy under regular review, and we will place any updates on website name to be added
19.2. The policy will be reviewed annually or more often if legislative changes apply.

Approved by the Chair; Name: Jeannette Hughes

Signature: _____

Date Policy adopted by Council: 5th June 2025
Date Reviewed: 21st October 2026
Next Review date: October 2027