

Colwall Parish Council
General Data Protection Regulation
POLICY

- 1 The Council together with the Clerk forms the Data Controller. All are responsible for ensuring compliance with the General Data Protection Regulations.
- 2 The Council will not collect or store 'Sensitive Personal Data'. Should Sensitive Personal Data be received it shall be deleted and the sender informed we do not accept Sensitive Personal Data.
- 3 No Data will stored relating to persons under 16, even if the age of consent in the Regulation is lower than 16.
- 4 The Council will not create or maintain databases or directories containing personal data.
- 5 The Council will not exchange (supply or receive) any personal data with another Data Controller, other than to comply with legislation.
- 6 The Council will not ask others to process personal data on their behalf.
- 7 The Council will not pass personal data to a third party except where required by legislation.
- 8 The Council will set out the lawful basis for processing personal data, inform people of how we use their data and how they may view their data.
- 9 Councillors and the Clerk shall provide and use an independent personal email address and use it for all parish council related business. This account shall only be used for council related business. This email address shall not be used for, or be associated with, social media sites.
- 10 Councillors will maintain up to date anti-virus software on computers used on council related work.
- 11 The Council shall not use social media.
- 12 The Chair of Finance plus at least one of the Clerk, Council Chairman, Vice Chairman and Chair of Planning and Development will examine any alleged data breaches.
- 13 Requests for subject data to be supplied or deleted are to be sent to the Clerk who will follow the Subject Access Policy and Process, in liaison with councillors as necessary.

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SUBJECT ACCESS REQUESTS POLICY and PROCESS

- 1 The Council will provide an easily accessible method for submitting Subject Access Requests (SARs).
- 2 The Council will not charge for responding to SARs.
- 3 The Council will maintain internal procedures for handling SARs.
- 4 On receipt of a subject access request forward it to the Clerk, who will;
 - a. verify the request has been made under the Data Protection legislation;
 - b. verify the identity of the data subject; by such means as appears appropriate given the data held;
 - c. verify the access request is clear what personal data is requested; if not request additional information;
 - d. verify the access request does not include other subjects' data or redact it;
 - e. verify the request is not unfounded or excessive; and if so, consider a refusal to act on the request;
 - f. keep the subject informed of progress;
 - g. supply the data requested in an intelligible form within one month
 - h. inform and keep up to date, the Chair of the Council and the Chair of the Finance and General Purpose Committee and advise full council at its next regular meeting.
- 5 When a requestor is not satisfied with a response to a SAR, the council will treat this as complaint.
- 6 Complaints will be considered by the Chair of Finance and General purpose plus at least one of the Clerk, Council Chairman, Vice Chairman and Chair of Planning and Development who will consider the complaint.
- 7 Responses to complaints will advise the requestor they may complain to the Information Commissioners Office ("ICO") if they remain unhappy with the outcome.

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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 by the personal data alone or in conjunction with any other 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 local legislation relating to personal data and rights such as the Human Rights Act.

Council information

This Privacy Policy is provided to you by Colwall Parish Council which is the data controller for your data. Contact details are provided at the bottom of this document

The Council together with the Clerk forms the Data Controller.

What personal data is collected?

- Names, titles, and aliases,
- Contact details such as telephone numbers, addresses, and email addresses;
- Interaction with email messages and telephone calls

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

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- 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 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;
- To confirm your identity to provide some services;
- To contact you by post, email, telephone
- To help us to build up a picture of how we are performing;
- To enable us to meet all legal and statutory obligations and powers
- To promote the interests of the council;
- To maintain our own accounts and records;
- To seek your views, opinions or comments;
- To notify you of changes to our facilities, services, events and staff, councillors and role holders;
- To send you communications which you have requested.
- To process relevant financial transactions including grants and payments for goods and services supplied to the council

What is the legal basis for processing your personal data?

The council is a public body which serves the community. To do this effectively it may need contact you. When necessary we will first obtain your consent to use your personal data.

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Sharing your personal data

The council will not share the General Public's data. Personal data of staff, councillors, role holders or contractors may be shared where required by legislation, to carry out the council's task or as a requirement of, or associated with, employment.

How long do we keep your personal data?

We will keep records permanently if we are legally required to do so. We may keep other records for an extended period of time in accordance with best practice (e.g. HMRC audits) and to defend or pursue claims. In general, we will endeavour to keep data only for as long as we need it and to delete it when it is 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, 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.

- (i) The right to access personal data we hold on you
- (ii) The right to correct and update the personal data we hold on you
- (iii) The right to have your personal data erased
- (iv) The right to object to processing of your personal data or to restrict it to certain purposes only
- (v) The right to data portability
- (vi) The right to withdraw your consent to the processing at any time for any processing of data to which consent was obtained
- (vii) The right to lodge a complaint with the Information Commissioner's Office. See contact details.

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. Our website is also accessible from overseas.

Further processing

If we wish to use your personal data for a new purpose, not covered by this Privacy Policy, then we will provide you with a Privacy 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.

Changes to this policy

We keep this Privacy Policy under regular review and we will place any updates on this web page www.colwall.net This Policy was last updated in May 2018.

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:

The Data Controller, Colwall Parish Council, Mrs K Davis, Clerk to Colwall Parish Council, Humble Bee Hall, Hollybush, Ledbury, Herefordshire, HR8 1ET. Tel: 01531 650542. E-mail: cpcclerk@colwall.org.uk

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