**BRINDLE PARISH COUNCIL**

**Privacy Notice**

Adopted: 02 September 2024

**Your personal data – what is it?**

“Personal data” means any information which relates to a living individual and which allows them to be identified from those 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 UK General Data Protection Regulation (the “UKGDPR) and Data Protection Act 2018 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 Brindle Parish Council which is the data controller for your data.

Other data controllers the council works with:

* local authorities
* law enforcement and emergency services
* community groups
* third party contractor and service providers.

We may need to share your personal data we hold with them so that they can carry out their responsibilities to the Council of the Council can carry out its functions. 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 are collectively responsible to you for their processing of your data.

Where each of the parties involved in processing of your personal data is processing your data for its own independent purposes then each 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.

**What personal information do we use?**

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

* names, titles, and aliases,
* contact details such as telephone numbers, addresses, and email addresses;
* photographs;
* information about property;
* opinions and statements.

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 dependants.

**How we use personal information**

We use personal information:

* to identify people
* to communicate with people
* to perform the Council’s legal and contractual obligations
* to manage the business and finances of the Council
* to recruit and manage the Council’s employees
* to gather and analyse information about the opinions and requirements of the community and its expectations of the Council.

To process personal data we need to have a reason listed in the UKGDPR. In relation to the Council those reasons are:

* + 1. processing is with the consent of the data subject (Regulation 6(1)(a))
    2. processing is necessary for the performance of a contract or steps prior to entering into a contract (Regulation 6(1)(b))
    3. processing is necessary for compliance with a legal obligation (Regulation 6(1)(c))
    4. processing is necessary for the performance of a task in the public interest or in the exercise of official authority (Regulation 6(1)(e)).

**How we use special category personal data**

We may process special category personal data including, as appropriate:

* information about your physical or mental health or condition
* racial or ethnic origin or religious or similar information
* political opinions.

These types of data 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 category personal data in the following circumstances:

* + 1. processing is with the explicit consent of the data subject (Regulation 9(2)(a))
    2. processing is necessary for the rights and obligations of the Council in relation to employment (Regulation 9(2)(b))
    3. processing relates to personal data manifestly made public by the data controller (Regulation 9(2)(e))
    4. processing is necessary in relation to the exercise or defence of legal rights (Regulation 9(2)(f))
    5. processing is necessary for reasons of substantial public interest (Regulation 9(2)(g)).

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

For the majority of the processing that the Council undertakes under the grounds listed above consent is not required for example where the Council is carrying out a legal obligation.

In limited circumstances, we may approach you for your consent to allow us to process certain data. This might include obtaining your consent to send you information about events and services offered by the Council that may be of interest to you. If we do so, we will provide you with full details of the personal data that we would process and the reason we need it, so that you can carefully consider whether you wish to consent.

**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 those acting as data controllers 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 listed above under the heading “Other data controllers the council works with”;
* 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 or provide professional advice;
* 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;
* in relation to councillors and employees, we will share information as required with government and regulatory bodies including HMRC.

**How long do we keep your personal data?**

We will keep records as long as we are legally required to do so for regulatory or insurance purposes. 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 as long as we believe it is necessary to be able to defend or pursue a claim. In general, we will endeavour to keep data only for as long as we need it. This means that we will reduce or 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.

The right to access your personal data we hold

* 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 month and in the case of a complex request this period can be extended up to three months.
* 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.

The right to correct and update your personal data we hold

* If the data we hold on you are 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 a legitimate request, where it is feasible to do so, within one month of receiving your request.

The right to withdraw your consent to the processing of data for 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**

It may occasionally be necessary to transfer personal data outside the UK in order to enable us to use the information for the purposes set out above.

Information which you provide may be transferred to countries which do not have data protection laws equivalent to those in force in the UK or European Economic Area. If that is necessary, any such transfers will only take place with the protections required by the UKGDPR

In addition, personal information that you submit for publication on the Council’s website or which we publish there will be published on the internet and may be available, via the internet, around the world.

**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 further 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 don't store any cookies on the site ourselves. However, Google Analytics and Google Recaptcha use cookies to enhance the user experience and security on site. Google Analytics may store some location or device data for analytical purposes only. No personal data is stored.

Third party websites

The Council’s 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

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.

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

This Notice was last updated in September 2024.