

# WEST LAVINGTON PARISH COUNCIL

## Privacy Notice

**West Lavington Parish Council** is committed to protecting your privacy whether you are visiting our website or providing your personal information to us or we receive it in any other way.

We know that sharing your information with us requires great trust. This Privacy Notice explains how we, as data controller, use personal information about you and how we protect your information.

Any questions regarding this Privacy Notice and our practices should be sent by email to: [clerk@westlavington.org.uk](mailto:clerk@westlavington.org.uk) or in writing to: The Clerk, West Lavington Parish Council, 2 The Mercers, High Street, West Lavington, Devizes, Wiltshire SN10 4BE.

### What is personal information?

Personal information may be anything that identifies and relates to you and includes information that together with other information may identify you. Personal information we collect might include your name, address, telephone number, email address, photograph, video etc.

Some personal information is 'special' and needs more protection because of its sensitivity. This is anything that can reveal your:

- sexuality and sexual health
- religious or philosophical beliefs
- ethnicity
- physical or mental health
- trade union membership
- political opinion
- genetic/biometric data
- criminal history

As a parish council, we deal with a wide range of individuals from, or about whom, we may obtain personal information. For example:

- residents of the parish
- complainants and enquirers
- members of the parish council
- employees
- volunteers
- suppliers
- business contacts
- professional advisers and consultants
- holders of public office

Our relationship with each can be different. However, with each we may need to use some personal information to help us and also to help you.

## Why do we need your personal information?

The purposes for which we may need personal information are varied. We may need some personal information to:

Help promote, deliver and manage the public services we provide to the community, including to:

- understand your needs and what we can do for you and seek your views or comments on our services
- send you communications which you have requested and may interest you, e.g. about campaigns, appeals, new projects or initiatives
- contact you by post, email, telephone or using social media
- check the quality of our services
- improve or modify our services
- oversee spending on our services
- notify you of changes to our services, facilities, events, staff, councillors and other role holders
- develop new projects
- undertake fundraising, arrange events
- operate the council's website
- provide publicity on community events, activities and achievements
- inform you of parish news
- investigate and deal with safeguarding procedures or queries or complaints
- consult on or undertake surveys about and initiate new community projects.

Help us carry out the council's legal and statutory functions, duties and powers and administrative/management responsibilities, including to

- promote the interests of the council
- enable communications between councillors and/or the council's clerk
- prepare for and minute parish council and sub-committee meetings
- maintain accounts and records and appoint an internal auditor
- make demands for and charge precept monies
- process donations or grants
- manage the parish's Closed Burial Ground, playing fields, children's playground, bus shelters, and defibrillators
- provide seats, benches, recreation and play equipment
- maintain public footpaths and bridleways
- organise and maintain a parish emergency plan
- consider planning applications and queries
- advance views on issues to principal authorities and other relevant organisations
- take out insurance policies
- liaise with professional advisers and consultants
- process relevant financial transactions and carry out contractual obligations with service providers and professional advisers
- take up community issues with Wiltshire Council, police or other agencies
- manage our CCTV system for prevention and detection of crime and anti-social behaviour
- undertake research and allow statistical analysis of data to plan provision of services

Help carry out the council's contractual, administrative and legal obligations with its employees, councillors and helpers (see **Privacy Notice for Staff, Councillors and other Role Holders** which can be viewed online at [www.westlavington.org.uk](http://www.westlavington.org.uk)).

**Our processing of personal information will comply with data protection law. It will 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 to those purposes only
- 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 from loss, misuse, unauthorised access and disclosure.

**Lawful basis for using your personal information**

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

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.

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

If the personal information is provided by you, then we will provide the privacy information at the time we collect the information from you. If your personal information is not obtained directly from you, then we will tell you within a reasonable time of receipt of it or by the time of our first communication with you or the information is shared with someone else in accordance with this Privacy Notice.

If we are processing 'special' sensitive personal data about you, we collect and use it where at least one of the following lawful bases is also applicable:

- processing is necessary where we need to carry out our legal obligations
- you have given explicit consent to the processing for specified purpose(s)
- processing relates to personal data manifestly made public by you
- processing is necessary for the establishment, exercise or defence of a legal claim
- processing is necessary in the public interest
- processing is needed to protect your (or someone else's) interests and you are not capable of giving your consent.

If you have given your consent to our processing your personal information, you may withdraw it at any time. If you wish to do so, please contact: [clerk@westlavington.org.uk](mailto:clerk@westlavington.org.uk), so we can deal with your request.

**Who do we share your personal information with?**

We will not sell or rent your information to third parties.

We will not share your information with third parties for marketing purposes or for third parties to contact you with their own information.

'Technical Session' cookies which do not require user consent may be used on the West Lavington Parish Council Website to monitor usage and provide functionality. These only identify IP addresses and not individuals. (See West Lavington Website Privacy Notice for further details)

Sometimes we need to share the personal information we have with other organisations so that they can carry out their responsibilities to the council and our community. The organisations referred to below will sometimes be "joint data controllers". This means we are all responsible to you for how we process your data where for example two or more data controllers are working together for a joint purpose. If there is no joint purpose or collaboration then the data controllers will be independent and will be individually responsible to you.

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 information. What follows is a description of the types of organisations with which we may need, in appropriate circumstances and only where necessary, to share some personal information:

- local government
- other public and government authorities
- law enforcement agencies
- regulatory agencies
- community groups
- charities
- other not for profit entities (e.g. where carrying out joint ventures in relation to facilities or events for the community)
- suppliers, agents or service providers
- payroll providers
- accountants and auditors
- consultants and professional advisers
- persons making an enquiry or complaint
- financial organisations
- credit reference agencies
- the media
- your family, associates and representatives
- current, past and prospective employers
- educators or examining bodies
- survey/research organisations or historians.

Where we have arrangements in place with service or payroll providers or consultants or professional advisers we will implement appropriate security measures and contracts to protect your personal information.

From time to time, we will have a legal duty to provide personal information, for example to the police or the courts.

We may also share your personal information when we consider that there is a good reason that is more important than protecting your privacy. The risk must be serious. Examples are:

- to detect or deter crime or anti-social behaviour
- to deal with a serious risk to the public, our councillors, employees or helpers
- to protect a child
- to protect a vulnerable adult.

There may also be occasions when the risk to you or others is so great that we need to share the information immediately (for example, to protect health in an emergency). A record of the information shared and the reasons for doing so will be made and communicated to you.

### **What rights do you have to control your personal information?**

***Unless subject to an exemption***, the law gives you rights to control what personal information we use and how. When exercising any of the rights below, we may need to verify your identity for your security. In such cases we will need you to respond with proof of your identity.

#### ***Access request***

You have the right to ask for all information we hold about you as well as why we have it, who has access to it and where we obtained it from. We will respond in one month and no fee for a first request will be charged although additional requests and requests that are manifestly unfounded or excessive may be subject to an administrative charge.

#### ***Change of inaccurate information***

If something written on your file is out of date, incomplete or incorrect, and you let us know, your personal information will be updated.

#### ***Right to erasure/to be forgotten***

You can ask for your personal information to be deleted where it is no longer necessary, was unlawfully processed, you withdraw your consent or object to the processing, or you need to comply with a legal obligation.

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). Where your personal information has been shared, we will inform those using your information and request them to comply with your request for erasure.

#### ***Right to restrict use of your personal information***

Where there is a dispute in relation to the accuracy or processing of your personal information, or you need it regarding a legal claim, you have the right to request a restriction is placed on further 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. Where your personal information has been shared, we will inform those using your information and request them to comply with your request for a restriction on processing.

#### ***Right to portability***

Where you have personally provided your personal information, and the processing is based on your consent or is necessary to perform a contract, and in either case the processing is by automated means, you have the right

to request that we provide you with your personal information and move, copy or transmit that information directly to another data controller. We will comply with your request, where it is feasible to do so, within one month of receiving your request.

### ***Right to object***

Where processing is based on 'legitimate interest' or the performance of a task in the public interest/exercise of official authority, or processing for the purposes of scientific/historical research and statistics, you have the right to object to the processing of your personal information.

### ***Right to complain***

You have the right to lodge a complaint with the Information Commissioner. (To contact the Information Commissioner see **Contact Details** below).

### **How do we keep your information secure?**

When you give us or we receive personal information, we take steps, using organisational, technical and administrative measures, and a password - protected council laptop, with encryption, to ensure it is treated securely and we will only make records available to those who have a right to see them.

Non-sensitive details (e.g. your email address) are transmitted normally over the internet and this can never be guaranteed to be 100% secure.

Controlling access to systems and networks allows us to stop people not allowed to view your personal information from getting access to it.

Training of councillors and staff allows us to make them aware of how to handle information and how and when to report difficulties.

### **How long do we keep your personal information?**

We keep your personal information for no longer than is reasonably necessary to fulfil the purposes outlined in this Privacy Notice, unless a longer retention period is required by law (for example, in connection with our statutory obligations as a public authority) or there is a need or potential need in order to defend or pursue a claim. Once information is out of date or has served its use or falls outside the retention time set out in our Retention Policy (which can be viewed online at [www.westlavington.org.uk](http://www.westlavington.org.uk)), it will be shredded or securely deleted.

### **13 or under**

We are concerned to protect the privacy of children under the age of 13. If you are aged 13 or under, please obtain your parent/guardian's permission beforehand whenever you provide us with personal information.

### **Transfer of Information abroad**

As part of the services the council offers, personal information we hold may be transferred to countries outside the European Economic Area (EEA). By way of example, this may occur if any of our servers are from time to time located in a country outside the EEA. We will take all practical steps, if this happens, to seek to ensure that your privacy rights continue to be protected as outlined in this Privacy Notice. We will seek advice from the Information Commission when necessary.

### **Automated decision making**

We do not carry out automated individual decision-making (making a decision solely by automated means without any human involvement) or profiling (automated processing of personal information to evaluate certain things about an individual).

### **Further processing**

If we wish to use your personal information for a new purpose, not covered by this Privacy Notice or by another of our policies, we 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, we will seek your prior consent to the new processing.

### **Contact Details**

To exercise any rights, queries or complaints, please in the first instance contact the Clerk to the Parish Council at: [clerk@westlavington.org.uk](mailto:clerk@westlavington.org.uk) or 2 The Mercers, High Street, West Lavington, Devizes, Wiltshire SN10 4BE.

For independent advice, data protection compliance concerns or to lodge a formal complaint, you can contact the Information Commissioner's Office on 0303 123 1113 or at <https://ico.org.uk/global/contact-us/email> or Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

### **Review**

We keep this Privacy Notice under regular review. It will also be subject to annual review by the Parish Council. We will place any updates on this web page and the date below will indicate when this Privacy Notice was last updated. Any changes are effective when we post the updated Notice.

**Adopted Jul 2018**