

# TOSTOCK PARISH COUNCIL

## **PRIVACY NOTICE**

Adopted 2024-03-12

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### **PROTECTING YOUR PRIVACY**



Tostock Parish Council is committed, through our councillors, staff and volunteers, to maintaining the trust and confidence of the people we serve by keeping your personal information private and secure. We regard the lawful and proper treatment of personal information as vital to successful working and to the provision of services to and on behalf of the community.

In this Privacy Notice we have provided details about when and why we collect your personal information, how we use it, the limited conditions under which we may disclose it to others and how we keep it safe. At any time, we will be pleased to answer any questions or queries you have about how we deal with your information. Our contact details can be found at the end of this Privacy Notice.

#### **Your personal data - what is it?**

Personal data is any information about a living individual which allows him/her to be identified from that data, e.g. name, e-mail address. Identification can be by specific information or by combining data with other details held by us which helps to identify a living person. The processing of your data is governed by legislation which includes the Data Protection Act 2018, UK General Data Protection Regulation (UK GDPR) as well as other regulations and laws concerning personal data such as the Human Rights Act 1998.

#### **Who are we?**

To confirm, this Privacy Notice is provided to you by Tostock Parish Council and we are the 'data controller' for your personal information. As such, we determine how your personal data is processed and for what purposes, and are responsible for ensuring that we manage your information in ways which are compliant with all current legislation.

#### **Do we work with other data controllers?**

We may need to share your personal data with other organisations who are also data controllers - so that they can carry out their responsibilities to us and to Tostock residents. They include:

- ◆ other local authorities, e.g. Suffolk County Council, Mid Suffolk District Council;
- ◆ charities;
- ◆ other not-for-profit entities;
- ◆ community groups and organisations; and
- ◆ contractors and service providers.

If we and one (or more) of the other data controllers above are, together, processing your data for the same purposes, then we and the other data controllers will be 'joint data controllers'. This means that we are collectively responsible to you for your data. Where each organisation is processing your data for its own independent purposes then each will be independently responsible to you. Where that is the case, 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 with the relevant data controller. A description of what personal data we process and for what purposes is set out in this Privacy Notice.

**We will process some or all of the following personal data where necessary to perform our tasks:**

- ◆ Names, titles, and photographs.
- ◆ Contact details, e.g. telephone numbers, addresses and e-mail addresses.
- ◆ Where they are relevant to the services we provide, or where you have provided them to us, we may process other information such as gender, age, marital status, nationality, education/work history and academic/professional qualifications.
- ◆ Where you pay for any activities, e.g. financial identifiers such as bank account numbers, payment card numbers and payment/transaction identifiers.
- ◆ The personal data we process may include sensitive or other 'special categories of personal data' such as racial or ethnic origin, religious or other beliefs of a similar nature, details of injuries and political beliefs.

**How do we use sensitive personal data?**

We may process sensitive personal data, where appropriate, for specific reasons, e.g. your racial or ethnic origin, or religious or similar information, in order to monitor compliance with equal opportunities legislation; and other sensitive personal data in order to comply with legal requirements and obligations to third parties.

These types of data are described in the legislation as 'special categories of personal data' and 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 categories of personal data in the following circumstances:

- ◆ in limited circumstances, with your explicit written consent;
- ◆ where it is needed to carry out our legal obligations; and/or
- ◆ where it is needed in the public interest.

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 (or someone else's) interests and you are not capable of giving your consent, or where you have already made the information public.

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

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

**We will comply with the fundamental principles of data protection law which say 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; and

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- ◆ 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.

#### **For what purposes do we use your personal data?**

For some or all of the following:

- ◆ To deliver public services - including understanding your needs so that we can provide the services that you request, and finding out what we can do for you.
- ◆ To confirm your identity in order to provide some services.
- ◆ To contact you by post, e-mail, telephone or in person.
- ◆ To help build up a picture of how we are performing.
- ◆ To prevent and detect fraud and corruption in the use of public funds and, where necessary, for law enforcement functions.
- ◆ To enable us to carry out our administrative and regulatory functions and to meet all legal and statutory obligations.
- ◆ To deal with any complaints.
- ◆ As necessary, to protect individuals from harm or injury.
- ◆ To promote the interests of the Council.
- ◆ To manage and maintain our accounts and records.
- ◆ To seek your views, opinions or comments.
- ◆ To notify you of changes to facilities, services, events, staff, councillors and volunteers.
- ◆ To send you communications and/or information which you have requested.
- ◆ To process financial transactions, particularly payments for goods and services.
- ◆ To support projects and help develop initiatives being pursued by local organisations.

#### **What is our legal basis for processing your personal data?**

As a public authority we have certain powers and obligations. Most of your personal data is processed for compliance with a legal obligation which includes the discharge of our statutory functions and powers. Sometimes, when exercising these powers or duties, it is necessary to process the personal data of residents or people using our services. We will always take into account your interests and rights. This Privacy Notice sets out your rights and our 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. For other purposes we will rely on consent, i.e. where our use of your personal data requires your explicit consent then we will first obtain your consent for that specific use.

#### **Do we share your personal data?**

On occasions we may need to share your data with third parties. Where this happens 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 we will need to share your data with some or all of the following but only where necessary:

- ◆ The other data controllers listed above (see 'Do we work with other data controllers?').

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- ◆ Our suppliers, contractors and agents.
- ◆ Other local authorities or not-for-profit bodies with which we are conducting joint ventures, e.g. in relation to facilities, services or events for the community.

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

We must keep some records permanently where we are legally required to do so. We may keep other specific records for an extended period of time, e.g. financial records to support audits by His Majesty's Revenue and Customs (HMRC) or to provide tax information. We also have legal obligations to retain some data in connection with our statutory obligations as a public authority and are also permitted to retain data in order to defend or pursue claims, e.g. those relating to personal injuries or contracts.

More generally, we will keep personal data only for as long as it is needed and delete it when it is no longer required. We have a *Data and Records Retention Policy* which shows what we keep and for how long, and will be pleased to supply a hard copy on request. Please contact our Data Protection Officer whose contact details can be found below.

### **How can you help?**

It is important that any personal data we hold about you is, as far as reasonably possible, accurate and current at all times. It would be very much appreciated if you would keep us informed of any changes in the personal data we are holding about you.

### **What are your rights with regard to your personal data?**

These are listed below. When you seek to exercise any of these rights, we may need to verify your identity (for your security) before we can comply.

#### **1 The right to access personal data we hold on you**

- ◆ At any time you can contact us to request the personal data we hold on you as well as ask why we have that data, who has access to it and where the personal data was obtained from. On receipt of your request we will respond as soon as possible but certainly within one 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 we hold on you**

If the information we hold on you is out-of-date, incomplete or incorrect, you can inform us and your data will be updated.

#### **3 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 the data be erased.
- ◆ When your request is received we will confirm whether the personal data has been deleted or the reason why it cannot be deleted, e.g. because it is needed 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 can request that we stop processing your personal data or ask that the processing be restricted. 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.

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### **5 The right to data portability**

You have the right to request that we transmit your personal 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.

### **6 The right, at any time, to withdraw your consent to the processing of data for which consent was obtained**

You can withdraw your consent easily by telephone, in person, by e-mail, or by post. Please contact our Data Protection Officer whose contact details are at the bottom of this Privacy Notice.

### **The right to lodge a complaint with the Information Commissioner's Office**

Information Commissioner's Office

Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

Telephone: 0303 123 1113; e-mail: <https://ico.org.uk/make-a-complaint/>

### **Is your personal data transferred 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. Council information on the Tostock village website is accessible abroad so it is not impossible that some personal data may be accessed from overseas.

### **Are we permitted to process your data further?**

If we wish to use your personal data for a new purpose, not covered by this Privacy Notice, then we will explain the new use before commencing the processing, 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 Privacy Notice**

We keep this Privacy Notice under regular review and will place any updates on the [Tostock village website](#).

This Notice was last updated in March 2024.

### **How to Contact Us**

Please contact us if you have any questions about this Notice, the personal data we hold about you, to exercise any or all of your rights, if you have any queries or complaints or would like a hard copy of the Council *Data Protection Policy*:



Tostock Parish Council Data Protection Officer:

Clerk to the Council - Mr Doug Reed

Second Thoughts, Church Road, Elmswell, Bury St Edmunds IP30 9DY

Tel: 01359 241009/07843850018; e-mail: [clerk@tostockpc.org.uk](mailto:clerk@tostockpc.org.uk)