

# PRIVACY POLICY

<b>Review Due</b>	<b>Amendments to Policy</b>	<b>Date Reviewed</b>
	First Issue	November 2024
November 2027		



## **Aim**

Lynemouth Parish Council is committed to protecting and respecting your privacy. We are registered as a 'data controller' under the Data Protection Act (registration Number ZA411044) as we collect, use and hold personal information about you in order to provide public services.

This policy sets out how the Parish Council uses, manages and discloses data for councillors, residents, suppliers, or other customers / clients. It explains our obligations and practices for complying with legal requirements.

## **Types of legal basis for processing**

The Council's right to process information under the General Data Protection Regulations, Article 6 (1):

- a) Consent: the individual has given clear consent for us to process their personal data for a specific purpose.
- b) Contract: the processing is necessary for a contract we have with the individual, or because they have asked you to take specific steps before entering into a contract.
- c) Legal obligation: the processing is necessary for us to comply with the law (not including contractual obligations).
- d) Vital interests: the processing is necessary to protect someone's life.
- e) Public task: the processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law.
- f) Legitimate interests: the processing is necessary for our legitimate interests or the legitimate interests of a third party, unless there is a good reason to protect the individual's personal data which overrides those legitimate interests. (This cannot apply to a public authority processing data to perform our official tasks.)

## **How we use your information**

By using our services you consent that we may use your personal information. Information which you provide us with will be kept securely and will only be used for the purposes stated when the information is collected. For example:

- to progress the service you requested
- to ensure that we meet our legal obligations
- for law enforcement functions
- to detect and prevent fraud or crime
- to process financial transactions including grants, payments
- to protect individuals from harm or injury

## **Information sharing**

In order to provide you with a good service or investigate complaints, we may use and pass on the information we hold about you to other people and organisations that provide that service, for example to departments of Northumberland County Council, the Council's partners and to other external professional organisations to carry out statutory functions.

## **Detect and prevent fraud or crime**

We are required by law to protect the public funds that we administer. We may use the information you provide to us for the detection and prevention of fraud.

## **Your rights**

Data Protection laws gives you a number of rights, as follows:

1. To be informed why, where and how we use your information.
2. To ask for access to your information
3. To ask for information to be corrected if inaccurate or incomplete.
4. To ask for your information to be deleted or removed where there is no need for us to continue processing it.
5. To ask us to restrict the use of your information.
6. To ask us to copy or transfer your information from one IT system to another in a safe and secure way, without impacting the quality of the information.
7. To object to how your information is used.
8. To challenge any decisions made without human intervention (automated decision making).
9. To lodge a complaint with the Information Commissioner's Office whose contact details are below.
10. If our processing is based upon your consent, to withdraw your consent.

You also have the right to request a copy of the information that we hold about you (Subject Access Request). If you would like exercise the above rights or request a copy of some or all of your personal information, please inform the clerk.

## Table of rights

Legal basis	Right to erasure	Right to portability	Right to object
<b>(a) Individual consent</b>	Y	Y	N but do have the right to withdraw consent
<b>(b) Contract</b>	Y	Y	N
<b>(c) Legal obligation</b>	N	N	N
<b>(d) Vital interests</b>	Y	N	N
<b>(e) Undertake a public task</b>	N	N	Y
<b>(f) Legitimate interests</b>	Y	N	Y

The Council is registered as a 'data controller' under the Data Protection Act (reference Number ZA411044)

## Information Collection and Processing

a) Name, email, address, phone number for Parish Councillors and Clerk					
How we get it and why we have it	Who we share it with	Lawful basis for processing it (under GDPR)	Location of data, how we store it	How long we keep the data, plus how and when we destroy it	Risks of a data breach
<p>This information is provided by the individual. It is required in order to allow members of the public and other interested bodies to contact the Parish Council.</p>	<p>Full contact details may be shared amongst the Councillors.</p> <p>Selected information (usually name and email address) is put on the website.</p>	<p>(a) Individual consent and (e) to undertake a public task</p>	<p>Records are stored electronically within the email system or another electronic folder. For Councillors, details are kept for as long as they remain in office.</p>	<p>When Councillors stand down their public contact details are deleted (email is kept by the Clerk for up to 12 months after in case of queries).</p> <p>The Clerk's contact details are deleted from public view once they leave; payroll / employee records are kept in line with legislation.</p>	<p>Identity theft or fraud</p>

<b>b) Name, email, address, phone number from allotment holders, residents or others</b>					
<b>How we get it and why we have it</b>	<b>Who we share it with</b>	<b>Lawful basis for processing it (under GDPR)</b>	<b>Location of data, how we store it</b>	<b>How long we keep the data, plus how and when we destroy it</b>	<b>Risks of a data breach</b>
When contacting the PC with a query, complaint or request	May be shared with Northumberland County Council where relevant	(a) Individual consent	Records are stored electronically within the email system or another electronic folder	Details are usually deleted after 12 months. Complaints may be kept up to 5 years. Memorial items are kept indefinitely as long as the item remains in situ.	Identity theft or fraud, reputational damage

<b>c) Contact and banking details from organisations we do business with (including those receiving donations)</b>					
<b>How we get it and why we have it</b>	<b>Who we share it with</b>	<b>Lawful basis for processing it (under GDPR)</b>	<b>Location of data, how we store it</b>	<b>How long we keep the data, plus how and when we destroy it</b>	<b>Risks of a data breach</b>
When invoices are received, or other requests for payment are made	<p>Some redacted information is shared publicly on the bank statements and as part of the accounts / year end audit papers (company name, description of goods/services delivered and price paid).</p> <p>Some details may be shared with HMRC for VAT purposes (company name, VAT number, description of goods/services delivered and price paid).</p>	(b) Contractual obligation	Records are stored electronically within the email system or another electronic folder	Banking information is held indefinitely within the accounts and banking system	Financial loss, reputational damage

<b>d) Name, email, address, phone number, DOB, NI, tax code and bank details for staff members</b>					
<b>How we get it and why we have it</b>	<b>Who we share it with</b>	<b>Lawful basis for processing it (under GDPR)</b>	<b>Location of data, how we store it</b>	<b>How long we keep the data, plus how and when we destroy it</b>	<b>Risks of a data breach</b>
Employment records provided by the individual	Shared with HMRC and within the banking system	(a) Individual consent; (b) contractual obligation; and (c) a legal obligation	Records are stored electronically in restricted access folders, also within PAYE and banking software and with the payroll Company contracted by the Parish Council	Records are stored indefinitely	Identity theft or fraud, reputational damage
<b>e) Name, address and elector number as part of the Electoral Register</b>					
<b>How we get it and why we have it</b>	<b>Who we share it with</b>	<b>Lawful basis for processing it (under GDPR)</b>	<b>Location of data, how we store it</b>	<b>How long we keep the data, plus how and when we destroy it</b>	<b>Risks of a data breach</b>
From NCC on request (generally annually). Primarily used to calculate the S137 grant, but also to know how many residents are in the parish in order to provide services	n/a	(e) to undertake a public task	Records are stored electronically in a restricted access folder only viewable by the Clerk	Generally a new copy is requested annually; the old version is deleted	Discrimination, identity theft or fraud, reputational damage

<b>f) Images from CCTV*</b>					
<b>How we get it and why we have it</b>	<b>Who we share it with</b>	<b>Lawful basis for processing it (under GDPR)</b>	<b>Location of data, how we store it</b>	<b>How long we keep the data, plus how and when we destroy it</b>	<b>Risks of a data breach</b>
From CCTV cameras at Bridge Road and Park Road. These are active 24/7 but footage is only recorded if an incident of supposed criminal or anti-social behaviour occurs.	Footage of incidents of supposed criminal or anti-social behaviour may be sent to Northumbria Police and to the Clerk by email	(e) to undertake a public task	Footage is stored on our behalf by Asset Watch.	Footage may be kept indefinitely to track patterns of criminal or anti-social behaviour; or at the request of Northumbria Police for an on-going investigation. Any footage sent to the Clerk is reviewed and then deleted.	Reputational damage

The Council is the data owner / controller for all of the data. Anything marked \* is wholly or partly processed by a third party.