

West Bedlington Town Council

GDPR Privacy Notice (General)

ICO Registration No: Z2647191



1. Introduction
2. Background
3. What data do we process
4. How we process sensitive personal data
5. Do we need your consent to process your sensitive personal data?
6. Complying with data protection law
7. What personal data can be used for
8. What is the legal basis for processing your personal data
9. Sharing your personal data
10. How long do we keep your personal data
11. Your rights and your personal data
12. Transfer of data abroad
13. Further processing
14. Changes to this notice
15. Contact details

Introduction

1.1. The General Data Protection Regulation 2018 requires councils to have Privacy Notices which provide individuals with extensive information about how their personal data is collected, stored and used. This information must be easily accessible, transparent and presented using clear and plain language.

1.2. This document is the West Bedlington Town Council GDPR Privacy Notice for residents and members of the public.

1.3. In addition to this GDPR Privacy Notice, West Bedlington Town Council also have the following relevant documents:

- GDPR Privacy Notice (Staff, Councillors & role holders)
- GDPR Data Protection Policy
- GDPR Data Breach Notification Policy
- GDPR Subject Access Request Procedure (SAR) and GDPR SAR form
- Data Retention and Disposal Policy

2. Background

2.1. 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 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 list 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 General Data Protection Regulation (the ‘GDPR’) and other legislation relating to personal data and rights such as the Human Rights Act.

2.2. Who are we? This Privacy Notice is provided to you by West Bedlington Town Council which is the data controller for your data.

2.3. Other data controllers the council works with:

- Other local authorities
- Community groups
- Charities
- Other not for profit entities
- Payroll and HR provider
- Contractors

2.4. We may need to share your personal data we hold with them so that they can carry out their responsibilities to the council. 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 mean we are all collectively responsible to you for your data. Where each of the parties listed above are processing your data for their own independent purposes then each of us 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.

2.5. A description of what personal data the council processes and for what purposes is set out in this Privacy Notice.

3. What data do we process

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

- Names, titles, and aliases, photographs.
- Contact details such as telephone numbers, addresses, and email addresses.
- Where they are relevant to the services provided by a 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.
- Where you pay for activities, financial identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers, and claim numbers.
- The personal data we process may include sensitive or other special categories of personal data such as criminal convictions, racial or ethnic origin, mental and physical health, details of injuries, medication/treatment received, political beliefs, trade union affiliation, genetic data, biometric data, data concerning and sexual life or orientation.

4. How we process sensitive personal data

4.1. We may process sensitive personal data including, as appropriate:

- information about your physical or mental health or condition in order to monitor sick leave and take decisions on your fitness for work.
- your racial or ethnic origin or religious or similar information in order to monitor compliance with equal opportunities legislation;
- in order to comply with legal requirements and obligations to third parties.

4.2. These types of data are described in the GDPR as ‘Special categories of data’ and require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal data.

4.3. We may process special categories of personal data in the following circumstances:

- In limited circumstances, with your explicit written consent.

- Where we need to carry out our legal obligations.
- Where it is needed in the public interest.

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

5. Do we need your consent to process your sensitive personal data?

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

6. Complying with data protection law

6.1. 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.

7. What personal data can be used for

7.1. 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 or using social media (e.g., Facebook, Twitter, WhatsApp).
- To help us to 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 the law enforcement functions.
- To enable us to meet all legal and statutory obligations and powers including any delegated functions.

- To carry out comprehensive safeguarding procedures (including due diligence and complaints handling) in accordance with best safeguarding practice from time to time with the aim of ensuring that all children and adults-at-risk are provided with safe environments and generally as necessary to protect individuals from harm or injury.
- 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 other role holders.
- To send you communications which you have requested and that may be of interest to you. These may include information about campaigns, appeals, other new projects or initiatives.
- To process relevant financial transactions including grants and payments for goods and services supplied to the council
- To allow the statistical analysis of data so we can plan the provision of services.
- Our processing may also include the use of CCTV systems for the prevention and prosecution of crime.

8. What is the legal basis for processing your personal data

8.1. 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.

8.2. 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. An example of this would be processing your data in connection with the use of sports facilities, or room hiring.

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

9. Sharing your personal data

9.1. 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 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;

- 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.

10. How long do we keep your personal data

10.1. We will keep some records permanently if we are legally required to do so. 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 delete it when it is no longer needed

11. How can you review, update, or delete the data we collect from you?

Based on the applicable laws of your country, you may have the right to request access to the personal information we collect from you, change that information, or delete it. To request to review, update, or delete your personal information, please contact us. If the data is owned by our suppliers, you will need to contact them directly.

1. The right to be informed

The right to be informed encompasses the obligation to provide clear and concise ‘fair processing information’, which we do through our privacy notice. It emphasises the need for transparency over how we use personal data. We therefore publish our Privacy Notice on our public webpage and aim to make it easily accessible.

2. The right of access

You have the right to access and request a copy of the information we hold about you, both on paper and electronically unless the information or part thereof is considered to have the potential to cause mental or physical harm to the individual or someone else.

3. The right to rectification

You have the right to ask us to rectify information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete. Individuals can use their right to rectification to request sections of their records are amended or removed. Additionally, this right can be exercised if the individual believes information has been omitted and requires inclusion on their record. This is not an absolute right and pertinently, it must be recognised that clinical opinion is subjective and thus we reserve the right to refute any request deemed inappropriate.

4. The right to erasure

You have the right to request that organisations erase personal data about you that they hold. This is not an absolute right however, and depending on the legal basis that applies, an organisation may have overriding legitimate grounds to continue to process the data such as if

you are a patient and your request is in relation to your health record. We cannot delete health records or information within a record unless they require rectifying.

5. The right to restrict processing

You have the right to request that we restrict processing of personal data about you that we hold. You can ask us to do this for example where you contest the accuracy of the data. We will restrict processing of your personal data whilst we consider its accuracy or the legitimate grounds for processing the personal data in question.

6. The right to data portability

You have the right to obtain and reuse their personal data for their own purposes across different services. It allows them to move copy or transfer personal data easily from one IT environment to another in a safe and secure way, without hindrance to usability.

7. The right to object

You have the right to object to: processing based on legitimate interests or the performance of a task in the public interest/exercise of official authority (including profiling); direct marketing (including profiling); and processing for purposes of scientific/historical research and statistics.

8. Rights in relation to automated decision making and profiling.

The UK GDPR applies to all automated individual decision-making and profiling. Article 22 of the UK GDPR has additional rules to protect individuals if an organisation is carrying out solely automated decision-making that has legal or similarly significant effects on them. The processing is defined as follows:

Automated individual decision-making (deciding solely by automated means without any human involvement). Examples include an online decision to award a loan; or a recruitment aptitude test that uses pre-programmed algorithms and criteria. Automated individual decision making does not have to involve profiling, although it often will do.

Profiling (automated processing of personal data to evaluate certain things about an individual) and includes any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements.

There are exemptions to some of your rights. To find out more please visit the ICO website

<https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/right-of-access/what-other-exemptions-are-there/>

12. Transfer of data abroad

12.1. 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 so on occasion some personal data may be accessed from overseas.

13. Further processing

13.1. 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 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.

14. Changes to this notice

14.1. We keep this Privacy Notice under regular review, and we will place any updates on our website <https://www.westbedlingtontowncouncil.gov.uk/>

15. Contact details

15.1. 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: Post: The Data Controller, West Bedlington Town Council, Bedlington Community Centre, front Street West, Bedlington, Northumberland, NE22 5TT.

Email: clerk@westbedlingtontowncouncil.gov.uk