

PRIVACY NOTICE

Newby and Scalby Parish Council is registered as a data controller under the Data Protection Act (ICO registration Z8186055) as we collect and process personal information about you. This applies to council staff and members of the public.

We process and hold your information in order to provide public services. This notice explains how we use and share your information. Information may be collected on a paper or online form, by telephone, email, CCTV or by a member of our staff, or one of our partners.

Your personal data - what is it?

Personal data relates to a living individual who can be identified from that data. Identification can be by information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession. The processing of personal data is governed by the General Data Protection Regulations (the "GDPR").

Who are we?

This Privacy Notice is provided to you by Newby and Scalby Parish Council which is the data controller for your data.

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 such as use of a council hall, 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 racial or ethnic origin or mental and physical health.

What is sensitive personal data?

The GDPR describes sensitive personal data as 'special categories of data' and is the following types of personal data about a data subject: racial or ethnic origin; political opinions; religious beliefs; trade union membership; physical or mental health or condition; sexual life or orientation; genetic data; and biometric data.

How we use sensitive personal data

- 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.
- "Special categories 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 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.

- 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.

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

- Yes - 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.

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 from loss, misuse, unauthorised access and disclosure.

We use your personal data for some or all of the following purposes:

- To help 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 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.

What is the legal basis for processing your personal data?

The council is a public authority and has certain powers and obligations. Your personal data is processed for compliance with a legal obligation (which includes the discharge of the council's statutory functions and powers) or in the public interest. 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. Examples of this would be processing your data in connection with the use of sports facilities or the acceptance of a garden allotment tenancy.

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

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 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):

- Other data controllers with whom we work;
- 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.

If we and the other data controllers are processing your data jointly for the same purposes, then the council and the other data controllers may be "joint data controllers" which means we are all collectively responsible to you for your data. Where each of the joint data controllers 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 to the relevant data controller.

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

How long do we keep your personal data?

We will keep some records permanently if we are legally required to do so. We may keep other records for an extended period of time. We may have legal obligations to retain 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. We will endeavour to keep data only for as long as we need it.

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.

- 1) The right to access personal data we hold on you;
- 2) The right to correct and update the personal data we hold on you;
- 3) The right to have your personal data erased;
- 4) The right to object to processing of your personal data or to restrict it to certain purposes only;
- 5) The right to data portability;

- 6) The right to withdraw, at any time, your consent to the processing of any data held for which consent was obtained;
- 7) The right to lodge a complaint with the Information Commissioner's Office. You can contact the Information Commissioner's 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

Transfer of data 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 contract approved by the European Union. Our website is also accessible from overseas so on occasion some personal data (for example in a newsletter) may be accessed from overseas.

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 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 consent prior to the new processing.

Changes to this notice

We will continually review and update this privacy notice to reflect changes in our services and feedback from service users as well as to comply with changes in the law. When such changes occur, we will revise the last updated date at the bottom of this notice.

Contact Details

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 please contact us at:

The Data Controller, Newby & Scalby Parish Council, Office to the rear of Scalby Library, 450 Scalby Road, Scarborough, YO12 6EE

email: clerk@newbyandscalbypc.org.uk

This Privacy Notice was last updated 13th March 2018.