



PRIVACY NOTICE INCLUDING DATA RETENTION SCHEDULE

Contact details

Post: **The Data Controller, Street Parish Council, 6 Leigh Road, STREET, Somerset, BA16 0HA,**

Telephone: **01458 440588**

Email: street.parish@street-pc.gov.uk

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 postal 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 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.

Who are we?

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

Other data controllers the council works with:

- Local authorities, public authorities, central government and agencies such as HMRC.
- Community groups.
- Charities.
- Other not for profit entities.
- Contractors.
- Credit reference agencies.
- Staff pension providers.

- Payroll Services providers.
- Recruitment agencies.
- Former and prospective employers.
- DBS services suppliers.
- Professional advisors.
- Trade unions or employee representatives.

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.

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

The council will process some or all of the following personal data **where necessary to perform its tasks**:

- Names, titles and aliases.
- Photographs.
- Video recordings.
- Contact details such as telephone numbers, addresses, and email addresses.
- Records of meetings and decisions.
- Identification documents.
- Information relating to compliments or complaints.
- 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 meeting room or are in receipt of grant funding, 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.
- Other operational personal data created, obtained or otherwise processed in the course of carrying out our activities, including but not limited to CCTV footage and other information obtained through electronic means such as swipe card records, recordings of telephone conversations, IP addresses and website visit histories, logs of visitors and logs of accidents, injuries and insurance claims.
- Other staff data (not covered above) including performance management information, languages and proficiency, licences/certificates, immigration status, employment status, information for disciplinary and grievance proceedings and personal biographies.
- Next of kin and emergency contact information.
- Information about your use of our information and communications systems.

The Council will collect or use the following information to **prevent crime, prosecute offenders, or defend against legal action:**

- Video and CCTV recordings of public areas (including indoor and outdoor spaces).
- Audio recordings of public areas (including indoor and outdoor spaces).
- Video and CCTV recordings of private or staff only areas.
- Financial transaction information.
- Information relating to Health and Safety.

The Council will collect or use the following information for **service updates/marketing purposes:**

- Names and contact details.
- Addresses.
- Marketing preferences.
- Recorded images such as photographs or videos.
- Records of consent, where appropriate.

The Council will collect or use the following information for **research and archiving purposes:**

- Names and contact details.

- Addresses.
- Location data.
- Recorded images, such as photos or videos.
- Records of consent, where appropriate.

The Council will collect or use the following information to **comply with legal requirements:**

- Name.
- Contact information.
- Identification documents.
- Financial transaction information.
- Criminal offence data (including Disclosure Barring Service (DBS), Access NI or Disclosure Scotland checks).
- Health and Safety information.

The Council will collect or use the following information for **recruitment purposes:**

- Contact details (e.g. name, address, telephone number or personal email address).
- Date of birth.
- Start date/leaving date.
- National Insurance Number.
- Pay and pay records, tax codes, tax and benefits contributions, expenses claimed.
- Copies of passports or other photo ID.
- Vehicle registration numbers.
- Employment history (e.g. job application, employment references or secondary employment).

- Education history (e.g. qualifications).
- Right to work information.
- Details of any criminal convictions.

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.

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.

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, such as for equal opportunities monitoring or in relation to our pension scheme.
- Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.

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?

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.

We do not need your consent if we use your sensitive personal data in accordance with our rights and obligations in the field of employment and social security law.

You should be aware that it is not a condition of your contract that you agree to any request for consent from us.

Information about criminal convictions

We may only use personal data relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection policy.

Less commonly we may use personal data relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary 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.

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.

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 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 notify you of changes to our facilities, services, events and staff, councillors and other role holders.
- 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.
- For management planning and to maintain our own accounts and records.
- Complying with health and safety obligations.
- To seek your views, opinions or comments.
- 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.
- Assessing qualifications for a particular job or task; making a decision about your recruitment or appointment and determining the terms on which you work for us.
- To process a job application.
- To administer the contract we have entered into with you.
- Paying you, and if you are an employee, deducting tax and national insurance contributions and liaising with your pension provider.
- Conducting performance reviews, managing performance and determining performance requirements and making decisions about salary reviews.
- Education, training and development requirements.
- Conducting grievance or disciplinary proceedings.
- To administer Councillors' interests.
- To monitor the use of our information and communication systems to ensure compliance with our IT policies.
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communication systems and preventing malicious software distribution.

What is the legal basis for processing your personal data?

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.

We will also process your data in order to assist you in fulfilling your role in the council including administrative support

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):

- 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, to manage our HR/payroll functions 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.
- Other persons or organisations operating within local community

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 some other records for an extended period of time. 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.

The data retention schedule of the Council is set out below:

Document	Minimum retention period	Reason
Minute Books	Indefinite	Archive
Scales of fees and charges	6 years	Management
Receipt and Payment account(s)	Indefinite	Archive
Receipt books of all kinds	6 years	VAT
Bank statements, including deposit savings accounts	Last completed audit year	Audit
Bank paying-in books	Last completed audit year	Audit
Cheque book stubs	Last completed audit year	Audit
Quotations and tenders	6 years	Limitation Act 1980 (as amended)
Paid invoices	6 years	VAT
Paid cheques	6 years	Limitation Act 1980 (as amended)
VAT records	6 years generally but 20 years for VAT on rents	VAT
Petty cash, postage and telephone books	6 years	TAX, VAT and Limitation Act 1980 (as amended)
Timesheets	Last completed audit year 3 years	Audit (requirement)/ Personal injury (best practice)
Wages books/payroll	12 years	superannuation
Insurance Policies	As long as it is possible for a claim to be made under it. See next two items below	Management and legal proceedings
Certificates for Insurance against liability for employees	Indefinite	Future claims
Investments	Indefinite	Audit and management
Title deeds, leases, agreements, contracts	Indefinite	Audit and management
Members allowances register	6 years	Tax, Limitation Act 1980 (as amended)
For halls, centre and recreation grounds: Application to hire Lettings diaries	6 years	VAT

Copies of bills to hires Record of tickets issued		
For Allotments: Register and plans	Indefinite	Audit and management

Your responsibilities

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your working relationship with us.

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***

At any point you can contact us to request the personal data we hold on you as well as why we have that personal data, who has access to the personal data and where we obtained the personal data from.

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 data 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 we erase the personal data we hold.

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).

4) ***The right to object to processing of your personal data or to restrict it to certain purposes only***

You have the right to request that we stop processing your personal data or ask us to restrict 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.

5) ***The right to data portability***

You have the right to request that we transfer the personal data you gave us to another organisation, or to you, in certain circumstances.

6) The right to withdraw consent

When we use consent as our lawful basis you have the right to withdraw your consent.

You do not usually need to pay a fee to exercise your rights. If you make a request, we have one calendar month to respond to you.

To make a data protection rights request, please contact us using the contact details at the top of this privacy notice.

How to complain

If you have any concerns about our use of your personal data, you can make a complaint to us using the contact details at the top of this privacy notice.

If you remain unhappy with how we have used your data after raising a complaint with us, you can also complain to the Information Commissioner's Office (ICO)

The ICO's address:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Helpline number: 0303 123 1113

Website: <https://www.ico.org.uk/make-a-complaint>

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 contracts 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 prior consent to the new processing.

Changes to this notice

We keep this Privacy Notice under regular review and we will place any updates on <https://street-pc.gov.uk>

This Notice was last updated in July 2024.

Next Review: Annual Meeting of Council May 2025.