

LUPPITT PARISH COUNCIL

Data Protection 2018 Privacy Notice

Who are we?

Luppitt Parish Council acts as 'Data Controller' for any personal data you provide us with. This means we will ensure that data you give us is processed in line with our Organisation's policies and ensuring your rights under the new Data Protection laws including the General Data Protection Regulations, Data Protection Act 2018.

Should you have any queries regarding this Privacy Notice or the data we may hold about you please contact the Parish Clerk at luppittclerk@yahoo.co.uk, telephone 01404 861565 or by post to Luppitt Parish Council, Courtmoor Farm, Upottery, Honiton, EX14 9QA.

Our Data Protection Privacy policy will be reviewed regularly and updates posted to the website.

What information are we collecting?

Personal Data is any information that can identify you, where you live or work and includes written, photographic, video, email address and telephone number, for example. It could be information directly from yourself or indirectly from another agency. For example, a planning application where we gain all or some information, or an email enquiry.

Personal data includes names, titles, aliases, photographs, images, contact details such as telephone numbers, email addresses and home and/or work addresses. If relevant to the Parish Council's work, we may process gender, age, marital status, work details and family composition.

Other information, such as criminal convictions, racial or ethnic origin, mental and physical health, details of injuries, political beliefs, trade union affiliation, biometric data and data concerning sexual life or orientation, is known as Sensitive Personal Data and is a special category of data which can only be processed in certain circumstances.

The processing of Personal Data is governed by legislation which applies in the United Kingdom which includes the General Data Protection Regulation (GDPR) and other legislation relating to personal data and rights, such as the Human Rights Act.

Principles on which this document was formed

- Data must be processed lawfully, fairly and transparently.
- Data is only used for a specific processing purpose that the data subject has been made aware of, and no other, without further consent.
- Data should be adequate, relevant and limited, ie only the minimum amount of data should be kept for specific processing.
- Data must be accurate and where necessary kept up to date.

- Data should not be stored for longer than is necessary and that storage should be safe and secure.
- Data should be processed in a manner that ensures appropriate security and protection.

How we collect and use this information

How?

We collect your personal data in the following ways:

- Direct contact with you – via email, telephone call, letter, website
- Outside agencies – planning & tree applications/District Councils

Uses

We may use this information to respond to your enquiries and to communicate important information. We should always have a lawful basis for the processing of your personal data. Usually this will be for a specific purpose and with your consent. For example, we may hold your name, address, telephone number for the purpose of contacting you following a request for information from us or for invoicing and record keeping or it may be because there is a contract between us.

We may also process your data if it is necessary to do so in order that we can perform a task which is in the public interest, has a clear basis in law or if it is of vital interest (where processing is necessary to protect someone's life).

If we collect personal information/data for one reason, we will not use it for a different purpose without your consent, unless there is a legal basis for doing so.

Please be aware, should you choose to not provide your personal data or decide to withdraw your consent for us to use it, we may not be able to effectively respond to your request.

How we hold and store your information

Personal data we receive is held and stored securely. In some cases, the information is in paper form. This can be due to the need to keep records/receipts and for contact purposes. The other way we hold personal information is in electronic form accessed via computer - for example, email, planning applications, general correspondence. The IT system is accessed solely by the Parish Clerk and is password protected to protect any personal data from loss, misuse or unauthorised access.

Who do we share your Personal Data with?

In some circumstances it is necessary to share personal data with other organisations. Where possible, we limit or anonymise documents, but, where it is necessary, we may share your details with other services and organisations. We will not share your personal details outside of our organisation unless we have a lawful reason to do so and will aim to explain when we need to do so and ensure we have your consent if that is necessary.

Please note – We do not currently transfer data outside of the European Economic Area (EAA) but please be aware our website is accessible from overseas, so any data which is publicly visible, such as a picture at a local event, may be viewed overseas.

What is meant by ‘Other Organisations’ ‘Services’ and ‘Third Parties’?

Luppitt Parish Council (LPC) needs to work with other organisations to provide services that you may request. For example, you may inform us that a path or bridleway is overgrown. In this instance Luppitt Parish Council has its own Footpath Warden and the request will be processed within LPC without further communication or sharing with a third party. However, if a pothole is reported faulty, we may find we need to pass on your details to a third party. In these circumstances, we will only share the information which is needed by the other organisation and will explain when we are doing so. If we and the other data controller are processing your data jointly for the same purposes, we would be acting as joint data controllers which means we are all collectively responsible to you for your data. If the organisation is processing your data for their own independent purposes, then each one will be independently responsible to you. Should you have cause to complain, you should do so directly with the data controller of that organisation. In all cases we may need to retain your details to provide an update if you have requested this.

How long will we hold your Personal Data?

We will keep your personal data only for as long as it is necessary to do so, keeping within the guidelines of the Data Protection Act 2018. We will keep some documentation/records permanently as we are required to do so in law. We also may retain documents, for example Finance records, for an extended period to comply with HMRC requests. LPC uses the guidelines in the Retention of Documents Policy (SLCC) where various time periods cover different documents. These are destroyed/deleted on a regular basis as they are no longer needed. As a general rule, our aim is to only keep data for as long as we need it.

What rights do you have?

You have the right to access your own information, to request amendments and deletion (under certain circumstances) of all your personal data. You can object to the processing of your data, request a copy of the information held or withdraw your consent to any processing which relies solely on your consent. If any of these apply, please contact the Parish Clerk in the first instance using the contact details at the top of this document.

How do you make a complaint?

If you need to make a complaint about the way we have dealt with your Personal Data please contact the Parish Clerk in the first instance. Please ensure you include as much information as possible in order that we can investigate this thoroughly. Your complaint will be investigated in accordance with the Council's procedures.

Should you find you are still unhappy with way in which your data has been used, you can refer the matter to the Information Commissioners Office at Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or email casework@ico.org.uk or telephone 0303 1231113.