



Prestbury Parish Council

GENERAL DATA PROTECTION REGULATION (GDPR) POLICY

INTRODUCTION

This policy has been created by Prestbury Parish Council in order to comply with the requirements of the General Data Protection Regulations (GDPR) 2018.

PERSONAL DATA

'Personal data' is any information about a living individual, which allows them to be identified from that data (for example a name, photographs, videos, postal or email address). Identification can be by directly using the personal data itself or by combining it with other information which helps to identify a living individual. 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 local legislation relating to personal data and rights such as the Human Rights Act.

COUNCIL INFORMATION

This privacy policy is issued by Prestbury Parish Council, which is the data controller for personal data.

The Council's address is:

Prestbury Parish Council, Prestbury Village Hall, Macclesfield Road, Prestbury, SK10 4BW

We will always respect the privacy of individuals who browse our website and leave contact details with us. Please read our online privacy policy carefully as it contains important information about what to expect when we collect personal information and how we will use (process) that 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;

The council will comply with data protection law. This says that the personal data we hold about anyone must be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to the individual or individuals concerned and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told the individual/s about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have indicated.

- Kept and destroyed securely including ensuring that appropriate technical and security measures are in place to protect personal data, to protect personal data from loss, misuse, unauthorised access and disclosure.

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

- To deliver public services including gaining an understanding of a person's needs in order to provide the services that they have requested and an understanding of what we can do for that person and in order to inform them of other relevant services;
- To confirm a person's or people's identity in order to provide some services;
- To contact a person or people by post, email, telephone;
- 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 promote the interests of the Council;
- To maintain our own accounts and records;
- To seek the views, opinions or comments of individuals or households;
- To notify individuals or households of changes to our facilities, services, events and staff, councillors and role holders;
- To send communications which have been requested and that may be of interest to individuals or households. 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

What is the legal basis for processing your personal data?

The Council has always required a legal basis to processing personal data. The General Data Protection Regulations include five lawful bases for local (Town and Parish) councils. It is possible for more than one to apply at the same time. The five bases are as follows:

- **Compliance with legal obligation:** The Parish Council is a public authority and has certain powers and duties. Most of people's 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 policy sets out the rights of individuals and households and the Council's obligations in detail. • **Contractual necessity:** We may also process personal data if it is necessary for the performance of a contract with an individuals, household or company, or to take steps to enter into a contract.
- **Consent:** Sometimes the use of personal data requires the consent of an individual or household. On these occasions we will first seek to obtain that consent.
- **Vital interests:** It is possible to process personal information to protect an individual without their consent e.g. in a life or death situation where emergency contact information is needed.
- **Public Interest:** When the Parish Council is acting in the public interest, personal data may be processed if it is necessary to undertake the tasks.

SHARING INFORMATION

The council will implement appropriate security measures to protect personal data. This section of the privacy policy provides information about the third parties with whom the Council will share your personal data. These third parties also 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 potential data controllers –

- Cheshire East Council
- Contractors of Prestbury Parish Council

We may need to share personal data we hold with them so that they can carry out their responsibilities to Prestbury Parish Council. If we work together for a joint purpose that involves the use of personal data, we are joint data controllers. This means those involved are all responsible to the individual or individuals involved for how their data is processed. If there is no joint purpose, then each data controller is independent and is individually responsible to the individual or individuals concerned.

RETENTION INFORMATION

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 current 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.

YOUR RIGHTS

Individuals have the following rights with respect to their personal data. When exercising any of the rights listed below, in order to process a request from an individual, we may need to verify that person's identity for their own security. In such cases we will need the individual to respond with proof of their identity before the individual exercises these rights.

The right to be informed e.g. through this policy

The right to access personal data we hold. At any time a person can request the data we hold on them as well as why we have it, who has access to it and where it was obtained from. We will respond to requests within one month of receiving them. There is no charge for the first request.

The right of a person to correct and update the personal data we hold on them. If the data we hold on an individual is out of date, incomplete or incorrect that person can inform us and we will update it.

The right of a person to have their personal data erased if they feel we should no longer be using it or are using it unlawfully. When the Council receives such a request we will then either confirm that it has been deleted or explain why it cannot be deleted. e.g. because we need it to comply with a legal obligation.

The right of a person to object to the processing of their personal data or to restrict it to certain purposes only. An individual can ask us to stop processing their data or ask us to restrict what we do with it. When we receive their request we will let them know if we are able to comply or if we have a legal obligation to continue.

The right of a person to data portability – An individual can request that we transfer data to another controller. Where this is feasible, we will do this within one month of receiving such a request.

The right of a person to withdraw their consent at any time for any processing of data to which consent was obtained. Please use the contact details below to do this.

The right to lodge a complaint with the Information Commissioner's Office. Complainants can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioners' Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

ADOPTED ON 8 MAY 2019

UPDATED 5th May 2021

WEBSITE PRIVACY POLICY

The website of Prestbury Parish Council can be found at www.prestbury.gov.uk.

- **Use of Cookies** – Our website is powered by WIX. Cookies are only used to ensure that it runs properly. They are not used for tracking purposes, just to hold site information for the duration of a browsing session. We use Google Analytics to provide statistics on website traffic – see below for the Google explanation.
- We do not use 3rd Party / Tracking / Advertising cookies.
- **Google Analytics** – Our website uses Google Analytics, a web analytics service provided by Google Inc. Google Analytics uses ‘cookies’, which are text files placed on users’ IT devices, to help the website analyse how the site is used. The information generated by the cookie about people’s use of the website (including IP addresses) will be transmitted to and stored by Google on servers in the United States. Google uses this information to evaluate the use of the website, compile reports on website activity for website operators and provide other services relating to website activity and internet usage. Google may also transfer this information to third parties where required to do so by law, or where such third parties process the information on Google’s behalf. Google will not associate an individual IP address with any other data held by Google. An individual may refuse the use of cookies by selecting the appropriate settings on their browser but it is important for them to note that where they do this they may not be able to use the full functionality of the website. By using this website, an individual consents to the processing of data about them by Google in the manner and for the purposes set out above.
- **Links to other websites** – Our website may contain links to other websites. This privacy policy only applies to our’s. So, when linking to other websites, individuals should read the privacy policies pertaining to those websites. Please address any queries concerning this policy, our website or any other IT queries to us – see contact details below.

Further processing

If we wish to use personal data for a new purpose not covered by this policy, we will provide the individual/s concerned with a privacy notice explaining this new use and the processing and setting out the purposes and processing conditions prior to commencing processing. Whenever necessary, we will seek an individual’s consent prior to the new processing.

Changes to this policy

This privacy policy is reviewed regularly. Any updates will be on: www.prestbury.gov.uk.

Contact Details

Any queries about this privacy policy or the personal data we hold, or the exercising of all relevant rights, queries or complaints should be directed to: The Data Controller (Clerk to Prestbury Parish Council), Prestbury Village Hall, Macclesfield Road, Prestbury, SK10 4BW – Email: Clerk@prestbury.gov.uk or use the contact form on the website: www.prestbury.gov.uk

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