

Wareside Parish Council General Privacy Notice

‘PERSONAL DATA’ is any information about a living individual which allows them to be identified directly using the 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 including the General Data Protection Regulation (GDPR) and other legislation relating to personal data and rights such as the Human Rights Act.

For the purposes of this privacy notice, Wareside Parish Council is the **data controller**. Other data controllers that the council may work with are local authorities, community groups, charities and other not for profit entities and contractors. We may need to share personal data we hold with them so that they can carry out their responsibilities to the council. If this council and the other data controllers listed above are processing your data jointly for the same purposes then the council and other data controllers may be ‘joint data controllers’ which means that all joint data controllers are all collectively responsible to you for your data. Where each of the parties listed 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 or wish to exercise any of your rights 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.

There may be circumstances in which this council will process some or all of the following personal data where necessary to perform its tasks:

- Names, titles, aliases and photographs
- Contact details - 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 dependents
- Financial identifiers such as bank account numbers, card payment numbers and transaction identifiers, policy and claim numbers

- **Sensitive or special categories of personal data** includes criminal convictions, racial or ethnic origin, mental/physical health, details of injuries, medication/treatment received, political beliefs, trade union affiliation, genetic data, biometric data, data concerning sexual life and orientation.

Special categories of personal data require higher levels of protection and the council would need to have further justification for collecting, storing or using this type of personal data and it may be processed:

In limited circumstances with your explicit written consent

- Where the council needs to carry out its legal obligations
- Where it is required in the public interest
- In relation to legal claims, or where it is needed to protect your interests or those of someone else and you are not capable of giving consent or where you have already made the information public.

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 which says that the personal data we hold about you must be:

- Used lawfully 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 is necessary for the purposes we have told you about
- Kept and destroyed securely, ensuring that appropriate technical and security measures are in place to protect your personal data from loss, misuse, unauthorised access and disclosure.

We may 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 or by using social media
- To help us build a picture of how we are performing
- To prevent and detect fraud and corruption in the use of public funds and where necessary for 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 council accounts and records
- To seek your views, opinions and comments
- To notify you of changes to our facilities, services, events, 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 on or about campaigns, appeals and other projects or Initiatives.
- To process relevant financial transactions including grants, payments for goods and services supplied to the council
- To allow 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, [albeit that Wareside Parish Council does not currently possess or operate any CCTV systems or appliances].

The legal basis for processing personal data:

The council is a public authority and has certain powers and obligations. Most 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 which we will first obtain before use.

Sharing personal data with third parties:

Third parties with whom the council may share your personal data 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 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 referred to the second paragraph above
- Our agents, suppliers and contractors
- Other local authorities and not for profit bodies with which we may be carrying out joint ventures

How long do we keep personal data?

Some records will be kept permanently if we are legally required to so. We may keep some other records for an extended period of time - it is currently best practice to keep financial records for a period of 6 years to support HMRC audits or to 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 required to retain data in order to defend or pursue claims. In some cases the law imposes a time limit for such claims - 3 years for personal injury claims and 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 and 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 data, who has access to that data and where we obtained that data from. Once we have received your request we will respond within one month.

There are no fees or charges for the first request but additional requests for the same personal data or requests which are clearly unfounded or excessive may be subjected 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 that 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 e.g. if we need it to comply with a legal obligation.

4. The right to object to processing your personal data or to restrict it to certain purposes

You have the right to request that we stop processing your personal data or to ask us to restrict processing. Upon receiving the request we will contact you to 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 some of your data to another controller. We will comply with your request, where it is feasible to do so, within one month of receiving your request.

6. The right to withdraw your consent to processing at any time for any processing of data to which consent was obtained

You can withdraw your consent easily by telephone, email or by post.

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 by email via the website, or by post: 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 will only be placed on systems complying with measures giving equivalent protection by the European Union. Our website is also accessible from overseas so on occasion some personal data may be accessed from overseas.

Further processing

If we wish to use your data for a new purpose not covered by this privacy notice 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.

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