

Review Date	Revision History
July 2024	Data Protection Policy agreed and added to the website.
Dec 2024	Updated email address

# DATA PROTECTION POLICY

## INTRODUCTION

The General Data Protection Regulations (now often known as 'GDPR') came into effect on 25 May 2018. We shall refer to them in this Policy as the 'Regulations'.

The Regulations govern the use of personal data relating to living 'data subjects'. Their purpose is to regulate the way that personal information about living individuals is obtained, stored, used, and disclosed. It doesn't matter how that information is held. The legislation gives individuals a 'right of privacy'. This includes the right to see data stored about them and to require any incorrect information to be put right. In certain cases, compensation may be payable if there has been a mistake.

The Regulations stipulate how personal data must be kept and used. Halsall Parish Council (the 'Council') is registered with the Information Commissioner in compliance with the Regulations.

This Policy Statement sets out the Council's commitment to maintaining the strictest level of confidentiality of personal data within its record systems in accordance with the Regulations. It should be read in conjunction with a detailed 'Privacy Notice' which you can download from the Council's website <https://halsallparish.org.uk/privacy/>

## DEFINITIONS

The Regulations give several terms specific meanings which need to be explained here:

**Personal Data** is any data that relates to a living individual who can be identified from that data. This includes any expression of opinion about the individual and any indication of the intentions of the Council in respect of the individual.

**Processing**, in relation to information or data, means obtaining, recording or holding information or data or carrying out any operation or set of operations on the information or data, including retrieval disclosure of that information or data.

**Data Subject** is an individual who is the subject of Personal Data.

**Sensitive Personal Data** is defined by eight categories of information about the Data Subject relating to

- racial or ethnic origins
- political opinions
- religious or similar beliefs
- membership of a trade union
- physical or mental health
- sexual life and orientation
- genetic data
- biometric data (e.g. facial recognition or fingerprint data)

**Data Protection Officer** is a person who, either alone or jointly with others, determines the purposes for which, and the manner in which, personal data is, or will be, processed. The Data Protection Officer for Halsall Parish Council is the Clerk.

**Person** relates to a legal person and thus includes a corporate body such as the Council.

**Information Commissioner's Office (ICO)** is the organisation responsible for administering and enforcing the General Data Protection Regulations 2018 nationally.

The **six principles of data protection** set out in the Regulations are:

1. Personal data must be processed lawfully, fairly and transparently.
2. Personal data shall be used for a specific processing purpose that the data subject has been made aware of and no other, without further consent.
3. Personal data should be adequate, relevant and limited ie only the minimum amount of data should be kept for specific processing.
4. Personal data must be accurate and where necessary kept up to date.
5. Personal data should not be stored for longer than is necessary, and that storage is safe and secure.
6. Personal data should be processed in a manner that ensures appropriate security and protection.

## SCOPE OF THE POLICY

The Regulations apply to records held in a relevant filing system. As the Council is a public body, this includes structured and less formal files in which personal data relating to an individual may be readily accessible.

This Policy applies equally to all personnel of the Council.

The Council is the Data Controller. It has the responsibility for ensuring the Data Protection Policy is understood and enforced and for administering day to day compliance with the Regulations. The Clerk is responsible for processing data on behalf of the Council.

## ADDENDUM FOR CCTV SYSTEM

The CCTV system at St Aidan's Hall, Renacres Lane, Halsall and the images produced by it are controlled by: HALSALL PARISH COUNCIL, Data Protection Officer/Halsall Parish Clerk, who is responsible for how the system is used under the UK GDPR and Data Protection Act 2018.

We, Halsall Parish Council, have considered the need for using CCTV and have decided it is necessary for the prevention and detection of crime and for protecting the safety of individuals, or the security of these premises. We will not use the system for any incompatible purposes and we conduct regular reviews of our use of CCTV to ensure that it is still necessary and proportionate.

The system does process footage of identifiable individuals and is therefore processing personal data. Halsall Parish Council is registered with the Information Commissioner's Office (ICO).

The Parish Clerk is responsible for the operation of the CCTV system.

The Data Protection Policy and the need for a CCTV system is reviewed annually.

Images may be disclosed to authorised third parties for example, the police requiring access to investigate a crime.

Cameras are positioned in a way to avoid any unintentional capture of private land or individuals not visiting the premises.

There are visible signs showing that CCTV is in Operation. There are also contact signs displayed internally and externally.

Images are stored securely for 30 days and only the Data Protection Officer/Parish Clerk has access to them.

We have received training in how to create copies of information should individuals require copies of their own images and in how to delete the information.

## DOCUMENTS ASSOCIATED WITH THE OPERATION OF THE POLICY

- Appendix 1 Privacy Notice for Personnel
- Appendix 2 Privacy Notice for Volunteers
- Appendix 3 General Privacy Notice

You may need to read the relevant privacy notice and print a copy for your records. The Clerk's contact details for the purposes of GDPR are:

The Clerk, Halsall Parish Council, c/o 36 Heathey Lane, Shirdley Hill, Halsall, L39 8SH

Email: [Clerk@HalsallParish.gov.uk](mailto:Clerk@HalsallParish.gov.uk)

## Appendix 1

## PRIVACY NOTICE FOR PERSONNEL

"We" are Halsall Parish Council.

Address is % 36 Heathey Lane, Shirdley Hill, Halsall, L39 8SH.

E-mail [Clerk@halsallparish.gov.uk](mailto:Clerk@halsallparish.gov.uk).

Our website is [www.halsallparish.org.uk](http://www.halsallparish.org.uk).

The Parish Council is the "data controller" and our Clerk is the "data processor" for the purpose of complying with the requirements of "UK GDPR", which has regulated the protection of your personal data since 1 January 2021.

Our General Privacy Notice applies to you, but this document sets out additional matters about your personal data which may arise because of the work you carry out or the services you provide for us as an employee or by the provision of paid-for services.

### ADDITIONAL INFORMATION WE MAY HAVE ABOUT YOU

- Recruitment information (e.g. copies of right to work documentation, references and referral source, and other information collected as part of a job application process)
- Any staff data (e.g. aliases, photographs, start date / leaving date, next of kin and emergency contact information, grade, licences/certificates, immigration status, performance management information, proficiency, particulars of disciplinary and grievance proceedings)
- Non-financial identifiers (e.g. passport numbers, driving licence numbers, vehicle registration numbers, tax and benefits contributions, taxpayer identification numbers, tax reference codes, national insurance numbers)
- Financial identifiers (e.g. bank account numbers, payment card numbers, payment/transaction identifiers, pay and pay records, expenses claimed, policy numbers, and claim numbers).
- Other operational personal data created, obtained, or otherwise processed while carrying out our activities, (e.g. records of telephone or other conversations, IP addresses and website visit histories, information about your use of our information and communications systems, and logs of visitors, accidents, injuries and insurance claims).
- Any information we may receive from the Disclosure and Barring Service, or similar safeguarding agency ("DBS")

### FURTHER WAYS IN WHICH WE GET THE INFORMATION AND WHY WE HAVE IT

Some of the personal information we process is provided to us directly by you or by others at your request because you wish to work for the Parish Council as an employee. In this case, or where you propose to enter into an agreement to supply goods or services to the Parish Council, we may also receive personal information directly from the DBS.

Additional things we may do with the information we have

If you are an employee with us, or provide us with paid-for services, we may use the information we have received to manage your employment or service provision in accordance with applicable law and good practice. We may also share this information with the DBS, or with other data controllers, (such as local authorities, public authorities, central government and agencies such as HMRC and DVLA). This is so that they can carry out their responsibilities to the Parish Council and our community. They will sometimes be “joint data controllers”, which means we are all responsible to you for how we process your data where for example two or more data controllers are working together for a joint purpose. If there is no joint purpose or collaboration, then the data controllers will be independent and will be individually responsible to you.

## **CHANGES TO THIS NOTICE**

We keep this Privacy Notice for personnel under regular review and we will place any updates on our website. This Notice was last updated on 1 August 2023.

Remember to read our General Privacy Notice, which is also applicable to you.

## Appendix 2

# PRIVACY NOTICE FOR VOLUNTEERS

"We" are Halsall Parish Council whose address is c/o/ 36 Heathey Lane, Shirdley Hill, Halsall, L39 8SH e-mail [Clerk@halsallparish.gov.uk](mailto:Clerk@halsallparish.gov.uk). Our website is [www.Halsallparish.org.uk](http://www.Halsallparish.org.uk).

The Parish Council is the "data controller" and our Clerk is the "data processor" for the purpose of complying with the requirements of "UK GDPR", which has regulated the protection of your personal data since 1 January 2021.

Our General Privacy Notice applies to you, but this document sets out additional matters about your personal data which may arise as a result of the voluntary services you provide for us.

## ADDITIONAL INFORMATION WE MAY HAVE ABOUT YOU

- Any volunteer data (e.g. aliases, photographs, start date / leaving date, next of kin and emergency contact information, licences/certificates, or immigration status)
- Non-financial identifiers (e.g. passport numbers, driving licence numbers, vehicle registration numbers, national insurance numbers)
- Other operational personal data created, obtained, or otherwise processed in the course of carrying out our activities, (e.g. records of communications about the work you do for us and any records relating to accidents, injuries and insurance claims).
- Any information we may receive from the Disclosure and Barring Service, or similar safeguarding agency ("DBS")

## FURTHER WAYS IN WHICH WE GET THE INFORMATION AND WHY WE HAVE IT

Some of the personal information we process is provided to us directly by you or by others at your request because you wish to work for the Parish Council as a volunteer. We may also receive personal information directly from the DBS.

## ADDITIONAL THINGS WE MAY DO WITH THE INFORMATION WE HAVE

If you are a volunteer with us, we may use the information we have received to manage the work you do for us in accordance with applicable law and good practice. We may also share this information with the DBS, or with other data controllers, (such as local and other public authorities). This is so that they can carry out their responsibilities to the Parish Council and our community. In such cases they will sometimes be "joint data controllers" (e.g. where for example two or more data controllers are working together on a task) but if there is no joint working each data controllers will be independent and will be individually responsible to you.

## **CHANGES TO THIS NOTICE**

We keep this Privacy Notice for personnel under regular review and we will place any updates on our website. This Notice was last updated on 1 August 2023.

**REMEMBER TO READ OUR GENERAL PRIVACY NOTICE, WHICH IS ALSO APPLICABLE TO YOU.**

## Appendix 3

## GENERAL PRIVACY NOTICE

([www.halsallparish.org.uk/Privacy/](http://www.halsallparish.org.uk/Privacy/))

### WHEN YOU CONTACT US

The information you provide (personal information such as name, address, email address, phone number, organisation) will be processed and stored to enable us to contact you and respond to your correspondence, provide information and/or access our facilities and services. On occasion it may be necessary to share your information under paragraph (d) below.

### COUNCILS RIGHT TO PROCESS INFORMATION

Under the General Data Protection Regulations, the lawful bases we rely on for processing this information are:

1. (a) Processing is with consent of the data subject or
2. (b) Processing is necessary for compliance with a legal obligation or
3. (c) Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller or
4. (d) We have a legitimate interest

### INFORMATION SECURITY

Halsall Parish Council has a duty to ensure the security of personal data. We make sure that your information is protected from unauthorised access, loss, manipulation, falsification, destruction or unauthorised disclosure. This is done through appropriate technical measures.

We will only keep your data for the purpose it was collected for and only for as long as is necessary. After which it will be deleted. You may request the deletion of your data held by Halsall Parish Council at any time.

### CHILDREN

We will not process any data relating to a child (under 13) without the express parental/guardian consent of the child concerned.

### ACCESS TO INFORMATION

Please contact the Parish Clerk / Data Protection Officer)

[Clerk@halsallparish.gov.uk](mailto:Clerk@halsallparish.gov.uk);

- To request information that we have on you.
- If you believe this information is incorrect and want it corrected.
- If you want this information deleted.
- If you want to object to how your information is being used.

- Any other complaint about your personal data.
- You can also complain to the ICO if you are unhappy with the way we have used your data. The ICO's address is:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow

Helpline number: **0303 123 1113**

### **AUTOMATED DECISION MAKING AND PROFILING**

Halsall Parish Council does not use any form of automated decision making or the profiling of individual personal data.

### **CONCLUSION**

In accordance with the law, we only collect a limited amount of information about you that is necessary for correspondence, information and service provision. We do not use profiling; we do not sell or pass your data to third parties. We do not use your data for purposes other than those specified. We make sure your data is stored securely. We delete all information deemed to be no longer necessary. We constantly review our Privacy Policies to keep it up to date in protecting your data.