

BISHOP'S STORTFORD TOWN COUNCIL



Privacy Policy Issue 1

21 May 2018

Bishop's Stortford Town Council Privacy Policy

0. AMENDMENT HISTORY

Issue 2018.1	11 May 2018	Adopted by Town Council on 21-05-18
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1. 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 address). Identification can be by the personal data alone or in conjunction with any other 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 local legislation relating to personal data and rights such as the Human Rights Act.

2. Council information

This Privacy Policy is provided by Bishop's Stortford Town Council, which is the data controller for data held or processed by the Town Council.

It should be noted that the Council has no control over data sent directly to individual members (Councillors). This applies to phone, letter, fax, telephone and email communications with members via their @bishopsstortfordtc.gov.uk email address or their personal email address. The member in question (not the Council) is the data controller for such communications.

3. What personal data is collected?

- Names, titles, and aliases, photographs;
- Contact details such as telephone numbers, addresses, and email addresses;
- Where they are relevant to the services provided by Bishop's Stortford Town Council, or where they are provided to us, we may process demographic information such as gender, age, marital status, nationality, education/work histories, academic/professional qualifications, hobbies, family composition, and dependants;
- Where payments are required for services, we collect financial identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers, and claim numbers;
- The data we process may include sensitive personal data or other special categories of data such as racial or ethnic origin, mental and physical health, details of injuries, medication/treatment received, political beliefs or sexual orientation.
- Website data:
 - Information from synching with other software or services
 - Interaction with social media (functional and/or marketing)
 - Information about payments
 - Access to social media profiles
 - Demographic information
- Information collected automatically from use of the service:
 - Device information (nature of device and/ or identifiers)
 - Log information (including IP address)
 - Location information (how is location collected/inferred)
 - Device sensor information
 - Site visited before arriving
 - Browser type and or OS
 - Interaction with email messages
- Information from other sources:
 - Referral or recommendation programmes
 - Publicly accessible sources
- Nature of any outbound communications with website users:
 - Email
 - Telephone (voice)
 - Telephone (text)

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

- Processed lawfully, fairly and transparently.

- Only used for a specific processing purpose that the data subject has been made aware of and no other, without further consent.
- Adequate, relevant and limited ie only the minimum amount of data should be kept for specific processing.
- Accurate and where necessary kept up to date.
- Kept in a form which allows individuals to be identified for no longer than necessary for the purpose
- Processed in a manner that ensures appropriate security and protection.

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

- To deliver public services
- To confirm identity needed to provide some services;
- To contact by post, email, telephone or using social media (e.g., Facebook, Twitter, WhatsApp);
- 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;
- To maintain our own accounts and records;
- To seek views, opinions or comments and to understand the need to provide the services that are requested
- To understand what we can do and to give information of other relevant services;
- To notify of changes to our facilities, services, events and staff, councillors and role holders;
- To send communications which has been requested and that may be of interest. 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;
- 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.

6. What is the legal basis for processing personal data?

We may process personal data if it is necessary for the performance of a contract, or to take steps to enter into a contract. An example of this would be processing data in connection with the use of hire of venues, or the acceptance of an application for an allotment licence.

Sometimes the use of personal data requires consent. We will first obtain consent to that use.

The council is a public authority and has certain powers and duties. Some personal data is processed for compliance with a legal obligation which includes the discharge of the council's statutory functions and powers.

7. Sharing personal data

The council will implement appropriate security measures to protect personal data. Sometimes it is necessary to share data with third parties in order to deliver services. We will do this only where necessary. These third parties also have an obligation to put in place appropriate security measures and will be responsible directly for the manner in which they process and protect personal data. It is likely that we will need to share data with some or all of the following:

- Other local authorities or not for profit bodies with which we are carrying out joint activities e.g. in relation to facilities or events for the community
- Our agents, suppliers and contractors e.g. payroll bureau to process payroll, outsourced aggregation of questionnaire results.
- Members (Councillors) of Bishop's Stortford Town Council in order to fulfil their duties as Councillors.

8. How long do we keep personal data?

We will keep some records permanently if we are legally required to do so including, but not limited to records of internment in our Cemeteries

Many records are kept for up to eight years including, but not limited to:

- Records relating to contractual matters
- Financial records to support HMRC audits or provide tax information
- Employee records
- Market traders, planning application and grant records
- Allotment tenancy records
- Community hall and minibus hires

Some records are kept for up to two years, including those where consent appropriate to circumstances has been requested and obtained. These include records of

- Attendees at Mayoral events
- Personal information in responses to questionnaires
- Communication with organisations and the public requesting information from Tourist Information Centre

Minutes of meetings which record decisions of Council including any supporting documentation will be kept for several decades at least or may be archived for eternity either in paper or digital form

Records of Member data will be kept for up to 12 months after they cease to be a member.

Records related to unsuccessful applicants for a job will be kept for up to 12 months.

In all cases the times given are measured from the date of the latest interaction with the data subject in relation to that data.

9. Individual Rights with respect to personal data

The GDPR provides the following rights for individuals:

- (i) The right to be informed – this is conditional in certain circumstances, such as if an individual already has the information or if it would involve a disproportionate effort to provide it to them.
- (ii) The right of access
- (iii) The right to rectification – this is conditional in certain circumstances, if the request for rectification is manifestly unfounded, excessive, or repetitive in nature.
- (iv) The right to erasure – this is conditional in certain circumstances, and does not apply if processing is necessary to comply with a legal obligation; for the performance of a task carried out or for archiving purposes in the public interest; to exercise the right of freedom of expression and information or for the establishment, exercise or defence of legal claims.
- (v) The right to restrict processing - this is conditional in certain circumstances, if the request for rectification is manifestly unfounded, excessive, or repetitive in nature.
- (vi) The right to data portability – this is conditional in certain circumstances and relates only to the information which has been supplied by the individual to the data controller. A request may be denied if it is manifestly unfounded, excessive or repetitive in nature.
- (vii) The right to object processing based on legitimate interests or the performance of a task in the public interest/exercise of official authority (including profiling), to direct marketing (including profiling) and to processing for purposes of scientific/historical research and statistics
- (viii) Rights in relation to automated decision making and profiling

When exercising any of the rights listed above, in order to process a request, we may need to verify identity for security and, if so, will make this request before rights may be exercised.

10. Transfer of Data Abroad

We do not process or store data outside of the EU, but data may reside or pass outside the EU in the course of transmission e.g. via email, the routing of which is outside our control.

11. Changes to this policy

We keep this Privacy Policy under regular review and we will place any updates on our website www.bishopstortfordtc.gov.uk. This Policy was last updated in May 2018.

12. Contact Details

Please contact us if you have any questions about this Privacy Policy or the personal data we hold about you or to exercise all relevant rights, queries or complaints at:

Bishop's Stortford Town Council, The Old Monastery, Windhill, Bishop's Stortford, Hertfordshire. CM23 2ND.

The Information Commissioners Office may be contacted on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.