

BOZEAT PARISH COUNCIL

Data Protection Policy

The Data Protection Policy

Bozeat Parish Council recognises its responsibility to comply with the General Data Protection Regulations (GDPR) 2018 which regulates the use of personal data. This does not have to be sensitive data; it can be as little as a name and address.

General Data Protection Regulations (GDPR)

The GDPR sets out high standards for the handling of personal information and protecting individuals' rights for privacy. It also regulates how personal information can be collected, handled and used. The GDPR applies to anyone holding personal information about people, electronically or on paper. Bozeat Parish Council has also notified the Information Commissioner that it holds personal data about individuals.

When dealing with personal data, Bozeat Parish Council staff and members must ensure that:

- **Data is processed fairly, lawfully and in a transparent manner**
This means that personal information should only be collected from individuals if staff have been open and honest about why they want the personal information.
- **Data is processed for specified purposes only**
This means that data is collected for specific, explicit and legitimate purposes only.
- **Data is relevant to what it is needed for**
Data will be monitored so that too much or too little is not kept; only data that is needed should be held.
- **Data is accurate and kept up to date and is not kept longer than it is needed**
Personal data should be accurate, if it is not it should be corrected. Data no longer needed will be shredded or securely disposed of.
- **Data is processed in accordance with the rights of individuals**
Individuals must be informed, upon request, of all the personal information held about them.
- **Data is kept securely**
There should be protection against unauthorised or unlawful processing and against accidental loss, destruction or damage.

Storing and accessing data

Bozeat Parish Council recognises its responsibility to be open with people when taking personal details from them. This means that staff must be honest about why they want a particular piece of personal information.

Bozeat Parish Council may hold personal information about individuals such as their names, addresses, email addresses and telephone numbers. These will be securely kept at the Bozeat Parish Council Office and are not available for public access. All data stored on the Bozeat Parish Council Office computers are password protected. Once data is not needed any more, is out of date or has served its use and falls outside the minimum retention time of Councils document retention policy, it will be shredded or securely deleted from the computer.

Bozeat Parish Council is aware that people have the right to access any personal information that is held about them. Subject Access Requests (SARs) must be submitted in writing (this can be done in hard copy, email or social media). If a person requests to see any data that is being held about them, the SAR response must detail:

- How and to what purpose personal data is processed
- The period Bozeat Parish Council tend to process it for
- Anyone who has access to the personal data

The response must be sent within 30 days and should be free of charge.

If a SAR includes personal data of other individuals, Bozeat Parish Council must not disclose the personal information of the other individual. That individuals' personal information may either be redacted, or the individual may be contacted to give permission for their information to be shared with the Subject.

Individuals have the right to have their data rectified if it is incorrect, the right to request erasure of the data, the right to request restriction of processing of the data and the right to object to data processing, although rules do apply to those requests.

Please see "Subject Access Request Procedure" for more details.

Confidentiality

Bozeat Parish Council members and staff must be aware that when complaints or queries are made, they must remain confidential unless the subject gives permission otherwise. When handling personal data, this must also remain confidential.

Version number	Purpose/change	Author	Date
0.1	Initial draft	LSS	05/03/18
0.2	Bespoke copy	Lyndis Payne	28/3/2018

Adopted by Bozeat Parish Council 16 April 2018.

Next review date January 2019.

BOZEAT PARISH COUNCIL

Data Breach Policy

GDPR defines a personal data breach as “a breach of security leading to accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed”. Examples include:

- Access by an unauthorised third party
- Deliberate or accidental action (or inaction) by a controller or processor
- Sending personal data to an incorrect recipient
- Computing devices containing personal data being lost or stolen
- Alteration of personal data without permission
- Loss of availability of personal data

Bozeat Parish Council takes the security of personal data seriously, computers are password protected and hard copy files are kept in locked cabinets.

Consequences of a personal data breach

A breach of personal data may result in a loss of control of personal data, discrimination, identity theft or fraud, financial loss, damage to reputation, loss of confidentiality of personal data, damage to property or social disadvantage. Therefore a breach, depending on the circumstances of the breach, can have a range of effects on individuals.

Bozeat Parish Council's duty to report a breach

If the data breach is likely to result in a risk to the rights and freedoms of the individual, the breach must be reported to the individual and ICO without undue delay and, where feasible, not later than 72 hours after having become aware of the breach. The Data Protection Officer must be informed immediately so they are able to report the breach to the ICO in the 72 hour timeframe.

If the ICO is not informed within 72 hours, Bozeat Parish Council via the DPO must give reasons for the delay when they report the breach.

When notifying the ICO of a breach, Bozeat Parish Council must:

- i. Describe the nature of the breach including the categories and approximate number of data subjects concerned and the categories and approximate number of personal data records concerned
- ii. Communicate the name and contact details of the DPO
- iii. Describe the likely consequences of the breach
- iv. Describe the measures taken or proposed to be taken to address the personal data breach including, measures to mitigate its possible adverse affects.

When notifying the individual affected by the breach, Bozeat Parish Council must provide the individual with (ii)-(iv) above.

Bozeat Parish Council would not need to communicate with an individual if the following applies:

- It has implemented appropriate technical and organisational measures (i.e. encryption) so those measures have rendered the personal data unintelligible to any person not authorised to access it;
- It has taken subsequent measures to ensure that the high risk to rights and freedoms of individuals is no longer likely to materialise, or
- It would involve a disproportionate effort

However, the ICO must still be informed even if the above measures are in place.

Data processors duty to inform Bozeat Parish Council

If a data processor (i.e. payroll provider) becomes aware of a personal data breach, it must notify Bozeat Parish Council without undue delay. It is then Bozeat Parish Council's responsibility to inform the ICO, it is not the data processors responsibility to notify the ICO.

Records of data breaches

All data breaches must be recorded whether or not they are reported to individuals. This record will help to identify system failures and should be used as a way to improve the security of personal data.

Record of Data Breaches

Date of breach	Type of breach	Number of individuals affected	Date reported to ICO/individual	Actions to prevent breach recurring

To report a data breach use the ICO online system:

<https://ico.org.uk/for-organisations/report-a-breach/>

Version number	Purpose/change	Author	Date
0.1	Initial draft	LSS	06/03/18
0.2	Bespoke copy	Lyndis Payne	28/3/2018

Adopted by Bozeat Parish Council on 16 April 2018.

Next review date January 2019.

BOZEAT PARISH COUNCIL

GENERAL PRIVACY NOTICE

Your 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 directly using the data itself or by combining it with other information which helps to identify a living individual (e.g. a list of staff may contain personnel ID numbers rather than names but if you use a separate list of the ID numbers which give the corresponding names to identify the staff in the first list then the first list will also be treated as 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 legislation relating to personal data and rights such as the Human Rights Act.

Who are we?

This Privacy Notice is provided to you by Bozeat Parish Council which is the data controller for your data.

Other data controllers the council works with:

- [e.g. other data controllers, such as local authorities
- Community groups
- Charities
- Other not for profit entities
- Contractors
- Credit reference agencies]

We may need to share your personal data we hold with them so that they can carry out their responsibilities to the council. If we and the other data controllers listed above are processing your data jointly for the same purposes, then the council and the other data controllers may be “joint data controllers” which mean we are all collectively responsible to you for your data. Where each of the parties listed above 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, wish to exercise any of your rights (see below) 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.

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;
- 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 dependants;
- Where you pay for activities such as use of a council hall, financial identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers, and claim numbers;
- The personal data we process may include sensitive or other special categories of personal data such as criminal convictions, racial or ethnic origin, mental and physical health, details of injuries, medication/treatment received, political beliefs, trade union affiliation, genetic data, biometric data, data concerning and sexual life or orientation.

How we use sensitive personal data

- We may process sensitive personal data including, as appropriate:
 - information about your physical or mental health or condition in order to monitor sick leave and take decisions on your fitness for work;
 - your racial or ethnic origin or religious or similar information in order to monitor compliance with equal opportunities legislation;
 - in order to comply with legal requirements and obligations to third parties.
- These types of data are described in the GDPR as “Special categories of data” and require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal data.
- We may process special categories of personal data in the following circumstances:
 - In limited circumstances, with your explicit written consent.
 - Where we need to carry out our legal obligations.
 - Where it is needed in the public interest.
- Less commonly, we may process this type of personal data where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.

Do we need your consent to process your sensitive personal data?

- 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. This says that the personal data we hold about you must be:

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

We 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, 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 your views, opinions or comments;
- To notify you of changes to our facilities, services, events and 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 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.

What is the legal basis for processing your personal data?

The council is a public authority and has certain powers and obligations. Most of your 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. An example of this would be processing your data in connection with the use of sports facilities, or the acceptance of an allotment garden tenancy

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

Sharing your personal data

This section provides information about the third parties with whom the council may share your personal data. These third parties 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):

- The data controllers listed above under the heading "Other data controllers the council works with";
- Our agents, suppliers and contractors. For example, we may ask a commercial provider to publish or distribute newsletters on our behalf, or to maintain our database software;
- On occasion, other local authorities or not for profit bodies with which we are carrying out joint ventures e.g. in relation to facilities or events for the community.

How long do we keep your personal data?

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 currently 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 and your personal data

You have the following rights with respect to 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 personal data, who has access to the personal data and where we obtained the personal 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 manifestly unfounded or excessive may be subject 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 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 (for example because we need it for to comply with a legal obligation).
- 4) *The right to object to processing of your personal data or to restrict it to certain purposes only***
- You have the right to request that we stop processing your personal data or ask us to restrict processing. Upon receiving the request, we will contact you and 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 the 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 (see Contact Details below).
- 7) *The right to lodge a complaint with the Information Commissioner's Office.***
- You 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 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 (“EEA”) will only be placed on systems complying with measures giving equivalent protection of personal rights either through international agreements or contracts approved by the European Union. [Our website is also accessible from overseas so on

occasion some personal data (for example in a newsletter) may be accessed from overseas].

Further processing

If we wish to use your personal data for a new purpose, not covered by this Privacy Notice, then 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.

Changes to this notice

We keep this Privacy Notice under regular review and we will place any updates on <http://www.bozeatparishcouncil.gov.uk/>

This Notice was adopted by Bozeat Parish Council on 16 April 2018.

This Notice was last updated in March 2018.

Contact Details

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

The Data Controller, Bozeat Parish Council c/o Mrs Lyndis Payne, Clerk to Bozeat Parish Council, 65 Queen Street, Bozeat, Northants, NN29 7LA. Telephone: 01933 664760.

Email: clerk@bozeatparishcouncil.gov.uk

BOZEAT PARISH COUNCIL

PRIVACY NOTICE

For staff*, councillors and Role Holders**

*“Staff” means employees, workers, agency staff and those retained on a temporary or permanent basis

**Includes, volunteers, contractors, agents, and other role holders within the council including former staff*and former councillors. This also includes applicants or candidates for any of these roles.

Your 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, photograph, video, email address, or address). Identification can be directly using the data itself or by combining it with other information which helps to identify a living individual (e.g. a list of staff may contain personnel ID numbers rather than names but if you use a separate list of the ID numbers which give the corresponding names to identify the staff in the first list then the first list will also be treated as 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 legislation relating to personal data and rights such as the Human Rights Act.

Who are we?

This Privacy Notice is provided to you by Bozeat Parish Council which is the data controller for your data.

The council works together with:

- Other data controllers, such as local authorities, public authorities, central government and agencies such as HMRC and DVLA
- Staff pension providers
- Former and prospective employers
- DBS services suppliers
- Payroll services providers
- Recruitment Agencies
- Credit reference agencies

We may need to share personal data we hold with them so that they can carry out their responsibilities to the council and our community. The organisations referred to above will sometimes be “joint data controllers”. This 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.

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

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

What data do we process?

- Names, titles, and aliases, photographs.
- Start date / leaving date
- Contact details such as telephone numbers, addresses, and email addresses.
- Where they are relevant to our legal obligations, or where you provide them to us, we may process information such as gender, age, date of birth, marital status, nationality, education/work history, academic/professional qualifications, employment details, hobbies, family composition, and dependants.
- Non-financial identifiers such as passport numbers, driving licence numbers, vehicle registration numbers, taxpayer identification numbers, staff identification numbers, tax reference codes, and national insurance numbers.
- Financial identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers, and claim numbers.
- Financial information such as National Insurance number, pay and pay records, tax code, tax and benefits contributions, expenses claimed.
- Other operational personal data created, obtained, or otherwise processed in the course of carrying out our activities, including but not limited to, CCTV footage, recordings of telephone conversations, IP addresses and website visit histories, logs of visitors, and logs of accidents, injuries and insurance claims.
- Next of kin and emergency contact information
- Recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process and referral source (e.g. agency, staff referral))
- Location of employment or workplace.
- Other staff data (not covered above) including; level, performance management information, languages and proficiency; licences/certificates, immigration status; employment status; information for disciplinary and grievance proceedings; and personal biographies.
- CCTV footage and other information obtained through electronic means such as swipecard records.
- Information about your use of our information and communications systems.

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

Please note: We need all the categories of personal data in the list above primarily to allow us to perform our contract with you and to enable us to comply with legal obligations.

- Making a decision about your recruitment or appointment.
- Determining the terms on which you work for us.
- Checking you are legally entitled to work in the UK.
- Paying you and, if you are an employee, deducting tax and National Insurance contributions.
- Providing any contractual benefits to you
- Liaising with your pension provider.
- Administering the contract we have entered into with you.
- Management and planning, including accounting and auditing.
- Conducting performance reviews, managing performance and determining performance requirements.
- Making decisions about salary reviews and compensation.
- Assessing qualifications for a particular job or task, including decisions about promotions.
- Conducting grievance or disciplinary proceedings.
- Making decisions about your continued employment or engagement.
- Making arrangements for the termination of our working relationship.
- Education, training and development requirements.
- Dealing with legal disputes involving you, including accidents at work.
- Ascertaining your fitness to work.
- Managing sickness absence.
- Complying with health and safety obligations.
- To prevent fraud.
- To monitor your use of our information and communication systems to ensure compliance with our IT policies.
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution.
- To conduct data analytics studies to review and better understand employee retention and attrition rates.
- Equal opportunities monitoring.
- To undertake activity consistent with our statutory functions and powers including any delegated functions.
- To maintain our own accounts and records;
- To seek your views or comments;
- To process a job application;
- To administer councillors' interests
- To provide a reference.

Our processing may also include the use of CCTV systems for monitoring purposes.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal data.

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we have entered into with you.
- Where we need to comply with a legal obligation.

We may also use your personal data in the following situations, which are likely to be rare:

- Where we need to protect your interests (or someone else's interests).
- Where it is needed in the public interest [or for official purposes].

How we use sensitive personal data

- We may process sensitive personal data relating to staff, councillors and role holders including, as appropriate:
 - information about your physical or mental health or condition in order to monitor sick leave and take decisions on your fitness for work;
 - your racial or ethnic origin or religious or similar information in order to monitor compliance with equal opportunities legislation;
 - in order to comply with legal requirements and obligations to third parties.
- These types of data are described in the GDPR as “Special categories of data” and require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal data.
- We may process special categories of personal data in the following circumstances:
 - In limited circumstances, with your explicit written consent.
 - Where we need to carry out our legal obligations.
 - Where it is needed in the public interest, such as for equal opportunities monitoring or in relation to our pension scheme.
 - Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.
- Less commonly, we may process this type of personal data where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

Do we need your consent to process your sensitive personal data?

- We do not need your consent if we use your sensitive personal data in accordance with our rights and obligations in the field of employment and social security law.
- 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.
- You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

Information about criminal convictions

- We may only use personal data relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection policy.
- Less commonly, we may use personal data relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.
- [We will only collect personal data about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so.] [Where appropriate, we will collect personal data about criminal convictions as part of the recruitment process or we may be notified of such personal data directly by you in the course of you working for us.]

What is the legal basis for processing your personal data?

Some of our processing is necessary for compliance with a legal obligation.

We may also process data if it is necessary for the performance of a contract with you, or to take steps to enter into a contract.

We will also process your data in order to assist you in fulfilling your role in the council including administrative support or if processing is necessary for compliance with a legal obligation.

Sharing your personal data

Your personal data will only be shared with third parties including other data controllers where it is necessary for the performance of the data controllers' tasks or where you first give us your prior consent. It is likely that we will need to share your data with:

- Our agents, suppliers and contractors. For example, we may ask a commercial provider to manage our HR/ payroll functions, or to maintain our database software;
- Other persons or organisations operating within local community.
- Other data controllers, such as local authorities, public authorities, central government and agencies such as HMRC and DVLA
- Staff pension providers
- Former and prospective employers
- DBS services suppliers
- Payroll services providers
- Recruitment Agencies
- Credit reference agencies
- Professional advisors
- Trade unions or employee representatives

How long do we keep your personal data?

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 currently 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 responsibilities

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your working relationship with us.

Your rights in connection with personal data

You have the following rights with respect to 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 personal data, who has access to the personal data and where we obtained the personal 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 manifestly unfounded or excessive may be subject 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 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 (for example because we need it for to comply with a legal obligation).

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

- You have the right to request that we stop processing your personal data or ask us to restrict processing. Upon receiving the request we will contact you and 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 the 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 (see Contact Details below).
- 7. *The right to lodge a complaint with the Information Commissioner's Office.***
- You 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 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 ("EEA") will only be placed on systems complying with measures giving equivalent protection of personal rights either through international agreements or contracts approved by the European Union. [Our website is also accessible from overseas so on occasion some personal data (for example in a newsletter) may be accessed from overseas].

Further processing

If we wish to use your personal data for a new purpose, not covered by this Privacy Notice, then 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, if we start to use your personal data for a purpose not mentioned in this notice.

Changes to this notice

We keep this Privacy Notice under regular review and we will place any updates on <http://www.bozeatparishcouncil.gov.uk/>

This Notice was last updated in March 2018.

This Notice was adopted by Bozeat Parish Council on 16 April 2018.

Contact Details

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

The Data Controller, Bozeat Parish Council, 65 Queen Street, Bozeat, Northants, NN29 7LA.

Email: clerk@bozeatparishcouncil.gov.uk

You 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 Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

BOZEAT PARISH COUNCIL

Subject Access Request Procedure

This procedure is to be followed when an individual contacts Bozeat Parish Council to request access to their personal information held by the Council. Requests must be completed within 1 month, so it should be actioned as soon as it is received. SAR's should be provided free of charge, however, you can charge a 'reasonable fee' when a request is manifestly unfounded or excessive, particularly if it is repetitive.

The steps below should be followed to action the request:

1. Is it a valid subject access request?
 - a) The request must be in writing (letter, email, social media or fax).
 - b) Has the person requesting the information provided you with sufficient information to allow you to search for the information? (You are allowed to request for more information from the person if the request is too broad.)
2. Verify the identity of the requestor.
 - a) You must be confident that the person requesting the information is indeed the person the information relates to. You should ask for the person to attend the office with their passport/photo driving licence and confirmation of their address (utility bill/bank statement).
3. Determine where the personal information will be found
 - a) Consider the type of information requested and use the data processing map to determine where the records are stored. (Personal data is data which relates to a living individual who can be identified from the data (name, address, email address, database information) and can include expressions of opinion about the individual.)
 - b) If you do not hold any personal data, inform the requestor. If you do hold personal data, continue to the next step.
4. Screen the information
 - a) Some of the information you have retrieved may not be disclosable due to exemptions, however legal advice should be sought before applying exemptions.

Examples of exemptions are:

 - References you have given
 - Publicly available information
 - Crime and taxation
 - Management information (restructuring/redundancies)
 - Negotiations with the requestor
 - Regulatory activities (planning enforcement, noise nuisance)
 - Legal advice and proceedings
 - Personal data of third parties

5. Are you able to disclose all the information?
 - a) In some cases, emails and documents may contain the personal information of other individuals who have not given their consent to share their personal information with others. If this is the case, the other individual's personal data must be redacted before the SAR is sent out.

6. Prepare the SAR response (using the sample letters at the end of this document) and make sure to include as a minimum the following information:
 - a) the purposes of the processing;
 - b) the categories of personal data concerned;
 - c) the recipients or categories of recipients to whom personal data has been or will be disclosed, in particular in third countries or international organisations, including any appropriate safeguards for transfer of data;
 - d) where possible, the envisaged period for which personal data will be stored, or, if not possible, the criteria used to determine that period;
 - e) the existence of the right to request rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing;
 - f) the right to lodge a complaint with the Information Commissioners Office ("ICO");
 - g) if the data has not been collected from the data subject: the source of such data;
 - h) the existence of any automated decision-making, including profiling and any meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.

Be sure to also provide a copy of the personal data undergoing processing.

All SAR's should be logged to include the date of receipt, identity of the data subject, summary of the request, indication of if the Council can comply, date information is sent to the data subject.

Sample letters:

Replying to a subject access request providing the requested personal data

"[Name] [Address]
[Date]"

Dear [Name of data subject]

Data Protection subject access request

Thank you for your letter of *[date]* making a data subject access request for *[subject]*. We are pleased to enclose the personal data you requested.

Include 6(a) to (h) above.

Be sure to also provide a copy of the personal data undergoing processing.

Copyright in the personal data you have been given belongs to the council or to another party. Copyright material must not be copied, distributed, modified, reproduced, transmitted, published or otherwise made available in whole or in part without the prior written consent of the copyright holder.

Yours sincerely”

Release of part of the personal data, when the remainder is covered by an exemption

“[Name] [Address]

[Date]

Dear [Name of data subject]

Data Protection subject access request

Thank you for your letter of *[date]* making a data subject access request for *[subject]*. To answer your request we asked the following areas to search their records for personal data relating to you:

- [List the areas]

I am pleased to enclose *[some/most]* of the personal data you requested. *[If any personal data has been removed]* We have removed any obvious duplicate personal data that we noticed as we processed your request, as well as any personal data that is not about you. You will notice that *[if there are gaps in the document]* parts of the document(s) have been blacked out. *[OR if there are fewer documents enclose]* I have not enclosed all of the personal data you requested. This is because *[explain why it is exempt]*.

Include 6(a) to (h) above.

Copyright in the personal data you have been given belongs to the council or to another party. Copyright material must not be copied, distributed, modified, reproduced, transmitted, published, or otherwise made available in whole or in part without the prior written consent of the copyright holder.

Yours sincerely”

Replying to a subject access request explaining why you cannot provide any of the requested personal data

“[Name] [Address]

[Date]

Dear [Name of data subject]

Data Protection subject access request

Thank you for your letter of *[date]* making a data subject access request for *[subject]*.

I regret that we cannot provide the personal data you requested. This is because *[explanation where appropriate]*.

[Examples include where one of the exemptions under the data protection legislation applies. For example the personal data might include personal data is 'legally privileged' because it is contained within legal advice provided to the council or relevant to on-going or preparation for litigation. Other exemptions include where the personal data identifies another living individual or relates to negotiations with the data subject. Your data protection officer will be able to advise if a relevant exemption applies and if the council is going to rely on the exemption to withhold or redact the data disclosed to the individual, then in this section of the letter the council should set out the reason why some of the data has been excluded.]

Yours sincerely”

Version number	Purpose/change	Author	Date
0.1	Initial draft	LSS	06/03/18
0.2	Bespoke copy	Lyndis Payne	28/3/2018

Adopted by Bozeat Parish Council 16 April 2018.

Next review date January 2019.

BOZEAT PARISH COUNCIL

Records Retention Policy

Bozeat Parish Council recognises that the efficient management of its records is necessary to comply with its legal and regulatory obligations and to contribute to the effective overall management of the association. This document provides the policy framework through which this effective management can be achieved and audited.

It covers:

- Scope
- Responsibilities
- Retention Schedule

Scope

This policy applies to all records created, received or maintained by Bozeat Parish Council in the course of carrying out its functions. Records are defined as all those documents which facilitate the business carried out by Bozeat Parish Council and which are thereafter retained (for a set period) to provide evidence of its transactions or activities. These records may be created, received or maintained in hard copy or electronically. A small percentage of Bozeat Parish Council records may be selected for permanent preservation as part of the Councils archives and for historical research.

Responsibilities

Bozeat Parish Council has a corporate responsibility to maintain its records and record management systems in accordance with the regulatory environment. The person with overall responsibility for this policy is the Clerk. The person responsible for records management will give guidance for good records management practice and will promote compliance with this policy so that information will be retrieved easily, appropriately and timely. Individual staff and employees must ensure that records for which they are responsible are accurate, and are maintained and disposed of in accordance with Bozeat Parish Council's records management guidelines.

Retention Schedule

The retention schedule refers to record series regardless of the media in which they are stored.

Document	Minimum Retention Period	Reason
Minutes		
Minutes of Council meetings	Indefinite	Archive
Minutes of committee meetings	Indefinite	Archive
Employment		
Staff employment contracts	6 years after ceasing employment	Management
Staff payroll information	3 years	Management

Staff references	6 years after ceasing employment	Management
Application forms (interviewed – unsuccessful)	6 months	Management
Application forms (interviewed – successful)	6 years after ceasing employment	Management
Disciplinary files	6 years after ceasing employment	Management
Staff appraisals	6 years after ceasing employment	Management
Finance		
Scales of fees and charges	6 years	Management
Receipt and payment accounts	6 years	VAT
Bank statements	Last completed audit year	Audit
Cheque book stubs	Last completed audit year	Audit
Paid invoices	Last completed audit year	VAT
Paid cheques	Last completed audit year	Limitation Act 1980
Payroll records	3 years	HMRC
Petty cash accounts	Last completed audit year	Audit
Insurance		
Insurance policies	6 years after policy end	Management
Certificates for Insurance against liability for employees	6 years after policy end	Management
Certificates for Public Liability	6 years after policy end	Management
Insurance claim records	6 years after policy end	Management
Health and Safety		
Accident books	3 years from date of last entry	Statutory
Risk assessment	3 years	Management
General Management		
Councillors contact details	Duration of membership	Management
Lease agreements	12 years	Limitation Act 1980
Contracts	6 years	Limitation Act 1980
Email messages	At end of useful life	Management
Consent forms	5 years	Management
GDPR Security Compliance form	Duration of membership	Management

Version number	Purpose/change	Author	Date
0.1	Initial draft	LSS	20/2/18
0.2	Bespoke copy	Lyndis Payne	28/3/2018

Adopted by Bozeat Parish Council 16 April 2018.

Next review date January 2019.

BOZEAT PARISH COUNCIL DATA MAP 2018

Adopted by Bozeat Parish Council on 16th April 2018

Council contact details	
Contact name:	Lyndis Payne
Contact address:	65 Queen Street, Bozeat, Northants, NN29 7LA
Contact phone number:	01933 664760
Contact email:	clerk@bozeatparishcouncil.gov.uk

DPO contact details	
Contact name:	NorthantsCALC
Contact address:	Unit 6, Litchborough Business Park, Northampton Road, Litchborough, Northants, NN12 8JB
Contact phone number:	01327 831482
Contact email:	info@northantscalc.com

COLUMN A	COLUMN B	COLUMN C	COLUMN D	COLUMN E	COLUMN F	COLUMN G	COLUMN H	COLUMN I
Information type	What personal information (data) is collected?	Category of individual	Where does the data go?	Where and how is the data stored?	What security measures do you use?	Why do you need the data? Processing purpose	Lawful basis for processing	How long do you retain the data?
Information in								
Email in	Email address, persons name and possibly phone number	Resident/councillor/employee/contractor	To the intended recipient/council meeting	Email server/hard drive/hard copy	Password/encryption	Management	Public interest/legal obligation/contract	As long as necessary
Phone message	Persons name and phone number	Resident/councillor/employee/contractor	To the intended recipient	Telephone system/written note	None	Management	Public interest/contract/legal obligation	Until actioned
Phone call	Persons name, phone number and possibly email address for follow up	Resident/councillor/employee/contractor	To recipient	N/A	None	Management	Public interest/legal obligation/contract	Until actioned
Invoices	Persons name, email address, address, bank details	Contractor	To recipient and to council meeting	Filing cabinet/email system/hard drive		Sales	Contract/legal obligation/public interest	8 years
Residents letters	Persons name, address and possibly phone number and email address.	Resident	To recipient and to council meeting	Filing cabinet		Management	Legal obligation/public interest	4 years
Councillors acceptance of office forms	Name	Councillor	To clerk	Filing cabinet		Legal requirement	Legal obligation	As long as necessary
Councillors register of interests	Name, address	Councillor	To clerk	Filing cabinet/hard drive/website		Legal requirement	Legal obligation	As long as necessary
Allotment register	Name, address.	Resident	To clerk	Filing cabinet/hard drive	Password/encryption	Management	Contract	8 years
Allotment tenancy agreements	Name, address and telephone number.	Resident	To clerk	Filing cabinet		Management	contract	8 years
Burials register	Name, address.	Resident	To clerk	Fireproof safe	kept in locked safe	Management	Contract	As long as necessary
Exclusive rights of burial	Name, address.	Resident	To clerk	Fireproof safe	kept in locked safe	Management	legal obligation	As long as necessary
Planning applications	Name, address	Resident	To clerk, council	Filing cabinet/hard drive		Management	Public interest	8 years
Photographs	Name, address	Resident/councillor/employee/contractor	Website/newsletter/archive	Hard drive/filing cabinet		Management	Consent	As long as necessary
Contractors insurance documents	Name, address, telephone number	Contractor	To clerk	Hard drive/filing cabinet		Management	legal obligation	6 years
Consent forms	Name, address, telephone number, email	Resident/councillor/employee/contractor	To clerk	Hard drive/filing cabinet		Management	Contract	As long as necessary
Record of consents	Name, address, telephone number, email	Resident/councillor/employee/contractor	To clerk	Hard drive/filing cabinet		Management	Contract	As long as necessary
Emergency plan contacts	Name, address, telephone number	resident/councillor	To clerk, council	Hard drive/filing cabinet			Public interest	As long as necessary
Accident book	Name, address, telephone number	councillor/employee/contractor	To clerk, chairman	Cemetery Lodge	None	Legal requirement	Legal obligation	3 years
Training requests	Name	Clerk/councillor	To clerk, council	Hard drive/filing cabinet/email		Management	Legal obligation	As long as necessary
Information out								
Email out	Email address, persons name	Resident/councillor/employee/contractor	To intended recipients	Email	Password/encryption		Contract/legal obligation/consent	As long as necessary
Council contact details	email address, persons name, telephone number, address.		To Northants CALC	hard drive.	None		Contract	As long as necessary
Minutes			To councillors, website			Legal requirement	Public interest	As long as necessary
Councillors register of interests	Name, address	Councillor	To Electoral Officer	Filing cabinet/hard drive/website		Legal requirement	Legal obligation	As long as necessary
Emergency Plan contacts	Name, address, telephone number		To councillors, other agencies				Public interest	As long as necessary

BOZEAT PARISH COUNCIL DATA MAP 2018

Lease agreements			To recipient				Contract	12 years
Burials map			To undertakers	Fireproof safe	kept in locked safe		Legal obligation	As long as necessary
Bank mandate			To relevant banks	Filing cabinet		Financial/management	Legal obligation	As long as necessary
Grant request	Email address, persons name, address, bank details	Clerk	To grant provider	Hard drive/filing cabinet/email		Financial/management	Contract/public interest	3 years
Record of grant submissions			To council				Legal obligation	As long as necessary
Accident book	Name, address	Clerk, councillor, resident, contractor	To council/insurers	Hard copy/email		Health and Safety	Legal obligation	3 years
Training requests	Email address, persons name, address		To training provider	Hard drive/filing cabinet	Password/encryption		Contract	As long as necessary
Employment information								
Clerks payroll	Name, address, NI number, bank details	Employee	HMRC/payroll provider/pension provider	Hard drive	Password/encryption	Financial	Legal obligation	3 years
Clerks employment contract	Name, address	Employee	Clerk/chairman/staffing committee	Filing cabinet/hard drive	Password/encryption	Contract	Contract	6 years
Allotments Manager's payroll	Name, address, NI number, bank details	Employee	HMRC/payroll provider/pension provider	Hard drive	Password/encryption	Financial	Legal obligation	3 years
Allotment Manager's employment contract	Name, address	Employee	Clerk/chairman/staffing committee	Filing cabinet/hard drive	Password/encryption	Contract	Contract	6 years