



GENERAL PRIVACY NOTICE

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GENERAL PRIVACY NOTICE

A description of what personal data Neston Town Council (hereafter referred to as 'The Council') processes and for what purposes is set out in this 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, photograph, video, email address, or address.

Identification can be made directly using the data itself or by combining it with other information which helps to identify a living individual. For example, 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 Data Protection Act 2018 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 Neston Town Council which is the data controller for your data.

The Council works together with:

- Other Data Controllers, such as Local Authorities or Central Government.
- Community Groups.
- Charities.
- Other Not for Profit Entities.
- Contractors.
- 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 referred to as “joint data controllers”. For example, this would occur where two or more data controllers are working together for a joint purpose. This means we are collectively responsible to you for how we process your data.

If there is no joint purpose or collaboration then the data controllers will be independent and will be individually responsible to you for the data they hold.

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.

The council will process some or all of the following personal data where necessary to perform its tasks:

- Names, Titles and Aliases.
- Photographs and motion video through devices such as CCTV equipment.
- 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 dependents.
- Where you pay for activities, such as usage of the Council’s Town Hall: financial identifiers such as bank account numbers, payment card numbers, payment / transaction identifiers, policy numbers, and claim numbers.
- Where you are permitted to use Council IT infrastructure, such as the guest wireless internet connection: website usage history, search engine usage, device type, device operating system and other associated metadata.

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, or data concerning and sexual life or orientation.

We may use several pieces or sources of data in combination and this list may not be exhaustive.

How we use sensitive personal data

We may process sensitive personal data as appropriate. This may include:

- Information about your physical or mental health condition.
- Your racial or ethnic origin or religious or similar.

These types of data are described in the Data Protection Act 2018 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.
- Where it is needed to assess your 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?

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 from loss, misuse, unauthorised access and disclosure.

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

- To deliver public services as a Council to the community.
- To understand what we can do for you and inform you of other relevant services you may be entitled to receive.
- 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.

Some of the above data will overlap and there may be several purposes for which we may use your personal data. Purposes for usages of your personal data which we keep will depend on your interaction(s) with the Council. In addition, this list may not be exhaustive.

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 also 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 always seek to obtain your consent for that use prior to using the data.

Sharing your personal data

The Council may be required to share your personal data with a third party. 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, this will only occur where necessary and this list may not be exhaustive:

- 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. For example, in relation to facilities or events for the wider 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 for Central Government agencies.

We may have legal obligations to retain some data in connection with our statutory obligations as a public authority.

The Council is also 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 these purposes and for 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 securely delete it when it is no longer needed.

Your rights in connection with personal data

You have rights with respect to your personal data held by Neston Town Council.

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 require 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.

- 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 please refer to the Contact Details section 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 via post: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

What are cookies?

To make our website site work properly, we sometimes place small data files called cookies on your device. Almost all websites do this for a variety of reasons.

A cookie is a small text file that a website saves on your computer or mobile device when you visit a website. It enables the website to remember your actions and preferences (such as login, language, font-size and other display preferences) over a period of time, so you don't have to keep re-entering them whenever you come back to the site or browse from one page to another.

Cookies often ask for permission to be placed on your computer's hard drive. Once you agree, the file is added to your device. Cookies can allow web applications to respond to your browser as an individual. The web application can tailor its operations to your needs, likes and dislikes by gathering and remembering information about your preferences.

How we use cookies

A cookie is a small file which asks permission to be placed on your computer's hard drive. Once you agree, the file is added and the cookie helps analyse web traffic or lets you know when you visit a particular site. Cookies allow web applications to respond to you as an individual. The web application can tailor its operations to your needs, likes and dislikes by gathering and remembering information about your preferences.

We use traffic log cookies to identify which pages are being used. This helps us analyse data about web page traffic and improve our website in order to create a better

experience for our website users. We only use this information for statistical analysis purposes and then the data is removed from the system.

Overall, cookies help us provide you with a better website, by enabling us to monitor which pages you find useful and which you do not. A cookie in no way gives us access to your computer or any information about you, other than the data you choose to share with us.

You can choose to accept or decline cookies. Most web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer. This may prevent you from taking full advantage of our website.

We are not in control of the delivery of cookies from service providers such as Google Analytics and YouTube. Any comments or questions that you may have should be raised with the originator of those cookies.

Your use of this site is taken as consent to the placing of cookies on your system. If you disagree, please take the following action:

- Close this website.
- Use your web browser's tools to "delete your cache".
- Quit your browser.
- You can then choose to disallow cookies from this website via browser settings.
- If you continue without changing your settings, we'll assume that you are happy to receive all cookies from our website.

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.

In common with most websites, our Council website is accessible from outside the EEA, so you should be aware that some personal data (for example a reference to your name in an article for a newsletter) could be accessed from outside the EEA.

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 or inferred in this notice.

Changes to this notice

We keep this Privacy Notice under regular review and we will place any updates on our Council website which is browsable at: <https://neston.org.uk>

This Privacy Notice was last updated in November 2022.

Contact Details

If you have any questions about this Privacy Notice, the personal data we hold about you or to exercise relevant rights, queries or complaints please contact us using one of these methods:

Post: The Data Controller, Neston Town Council, Neston, CH64 9TR.

Email: council@nestontowncouncil.org.uk

Telephone: 0151 336 3840

The Council's Data Protection Officer is:

Post: JDH Services Ltd, Carreg Lwyd, Cefn Bychan Road Pantymwyn, Flintshire, CH7 5EW.

Email: john@jdhbs.co.uk

Telephone: 01352 754 807

Information Commissioners Office (ICO)

You can contact the Information Commissioners Office via

Post: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

Email: <https://ico.org.uk/global/contact-us/email/>

Telephone: 0303 123 1113