



## **LISS PARISH COUNCIL PRIVACY POLICY – DATA PROTECTION AND GDPR**

### **1. PURPOSE AND SCOPE**

- 1.1. This Privacy Policy sets out your rights and LPC’s obligations to you in detail.
- 1.2. This Privacy Policy is provided to you by Liss Parish Council (“LPC”) which is the data controller for your data.
- 1.3. 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”), the Data Protection Act 2018 (“DPA”) and other legislation relating to personal data and rights such as the Human Rights Act 1998.
- 1.4. “Personal Data” means 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.
- 1.5. “Processing data” means any operation performed on Personal Data such as collection, recording and use.
- 1.6. In the normal course of business LPC will receive personal data in connection with the following:-
  - 1.6.1. Administration of Allotments – tenant’s details
  - 1.6.2. Administration of Recreation Grounds – user groups
  - 1.6.3. Administration of Village Hall – users’ details
  - 1.6.4. Administration of Pavilion – users’ details
  - 1.6.5. Administration of Football Pitches – users’ details
  - 1.6.6. Administration of employment matters – data shared with HMRC
  - 1.6.7. Correspondence sent to LPC – email, telephone and letter
  - 1.6.8. Contact Details for Local Organisations – data shared with webmaster,
  - 1.6.9. Contact Details for Village Magazine – residents’ addresses
  - 1.6.10. Contact details and information relevant to Leases and user agreements – data shared with LPC solicitor, Land Registry
  - 1.6.11. Employees
  - 1.6.12. Information supplied by or for LPC’s website
  - 1.6.13. Information supplied by or for LPC’s social media
  - 1.6.14. Information obtained from LPC’s CCTV system
  - 1.6.15. Information supplied for inclusion in the LPC Village Magazine
  - 1.6.16. Information collected automatically from use of LPC’s website such as :-
    - 1.6.16.1. device information
    - 1.6.16.2. Log information (including IP address)
    - 1.6.16.3. Location information
    - 1.6.16.4. Device sensor information
    - 1.6.16.5. Site visited before arriving
    - 1.6.16.6. Browser typed and or OS
    - 1.6.16.7. Interaction with email messages

- 1.6.17. Information from cookies or similar technologies (including in-app codes (including whether session or persistent) including:-
    - 1.6.17.1. Essential login/authentication or navigation
    - 1.6.17.2. Functionality – remember settings
    - 1.6.17.3. Performance and analytics – user behaviour
    - 1.6.17.4. Advertising / retargeting
    - 1.6.17.5. Any third party software served on users
  - 1.6.18. Parish Councillors, District Councillors and County Councillors
  - 1.6.19. Data relating to professional or business details in connection with the following:-
    - 1.6.19.1. Auditing – data shared with external and internal auditors
    - 1.6.19.2. Insurance
    - 1.6.19.3. Contact details and business information for and from suppliers and contractors
    - 1.6.19.4. Relevant charitable bodies or organisations and other not for profit organisations
  - 1.6.20. Please note this list is not exhaustive.
- 1.7. LPC will process some or all of the following personal data where necessary to perform its tasks:-
- 1.7.1. names, titles, aliases and photographs
  - 1.7.2. contact details such as telephone numbers, addresses and email addresses
  - 1.7.3. where they are relevant to the services provided by LPC, 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
  - 1.7.4. where you pay for activities such as use of the village hall, allotments, pavilion, football pitches or recreation grounds, financial identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers and claim numbers
- 1.8. The data LPC processes 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 sexual life or orientation. Where LPC carries out village wide surveys, such as in the Neighbourhood Plan or a particular project, the responses are anonymous and the questions are not generally asked on a topic that might be classified as sensitive.
- 1.9. LPC is sometimes sent a copy of the electoral roll for the Parish of Liss with updates as appropriate. The data protection issues associated with the electoral roll are the responsibility of East Hampshire District Council. LPC does not permit any third party to view the electoral roll that it holds.
- 1.10. LPC does not have any services directly relating to children. It is aware that should this change the relevant data protection issues will need to be considered.
- 1.11. All LPC paper documents are stored in the parish offices.
- 1.12. All computer records are stored on password protected computers or laptops with anti-virus software with “back-ups” stored on separate hard-drives or memory sticks.
- 1.13. LPC does not currently utilise cloud storage but may decide to do so in the future.

## **2. YOUR PERSONAL DATA**

- 2.1. Data is only used for the purpose for which it has been supplied.
- 2.2. Data is not passed onto a third party without the express consent of the data subject save as required or permitted by law.
- 2.3. LPC does not routinely share data.
- 2.4. LPC does not sell data.
- 2.5. LPC will comply with data protection law. This requires that the personal data LPC holds about you must be:-
  - 2.5.1. Used lawfully, fairly and in a transparent way.
  - 2.5.2. Collected only for valid purposes that LPC has clearly explained to you and not used in any way that is incompatible with those purposes.
  - 2.5.3. Relevant to the purposes LPC has told you about and limited only to those purposes.
  - 2.5.4. Accurate and kept up to date.
  - 2.5.5. Kept only as long as necessary for the purposes LPC has told you about.
  - 2.5.6. 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.
- 2.6. We use your personal data for some or all of the following purposes:-
  - 2.6.1. 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;
  - 2.6.2. To confirm your identity to provide some services;
  - 2.6.3. To contact you by post, email, telephone or using social media (e.g., Facebook, Twitter, WhatsApp);
  - 2.6.4. To help us to build up a picture of how we are performing;
  - 2.6.5. To prevent and detect fraud and corruption in the use of public funds and where necessary for the law enforcement functions;
  - 2.6.6. To enable us to meet all legal and statutory obligations and powers including any delegated functions;
  - 2.6.7. 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;
  - 2.6.8. To promote the interests of LPC;
  - 2.6.9. To maintain LPC's own accounts and records;
  - 2.6.10. To seek your views, opinions or comments;
  - 2.6.11. To notify you of changes to LPC facilities, services, events and staff, councillors and role holders;
  - 2.6.12. 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;
  - 2.6.13. To process relevant financial transactions including grants and payments for goods and services supplied to LPC
  - 2.6.14. To allow the statistical analysis of data so LPC can plan the provision of services.
  - 2.6.15. LPC processing may also include the use of CCTV systems for the prevention and prosecution of crime

### **3. LEGAL BASIS FOR PROCESSING DATA**

- 3.1. Most of your personal data is processed for compliance with a legal obligation which includes the discharge of LPC's statutory functions and powers. Sometime when exercising these powers or duties it is necessary to process personal data of residents or people using LPC's services. LPC will always take into account your interests and rights.
- 3.2. LPC 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 the village hall or the acceptance of an allotment tenancy.
- 3.3. Sometimes the use of your personal data requires your consent. LPC will first obtain your consent to that use.
- 3.4. LPC will implement appropriate security measures to protect your personal data. This section of the Privacy Policy provides information about the third parties with whom LPC will share your personal data. These third parties also 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 LPC will need to share your data with some or all of the following (but only where necessary):-
  - 3.4.1. LPC's agents, suppliers and contractors. For example, LPC may ask a commercial provider to publish or distribute newsletters on its behalf or to maintain its database software;
  - 3.4.2. On occasion, other local authorities or not for profit bodies with which LPC is carrying out joint ventures e.g. in relation to facilities or events for the community.
- 3.5. LPC will keep some records permanently if legally required to do so. LPC may keep some other records for an extended period of time. For example, it is current best practice to keep financial records for a minimum period of 8 years to support HMRC audits or provide tax information. LPC may have legal obligations to retain some data in connection with its statutory obligations as a public authority. LPC 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). LPC will retain some personal data for this purpose as long as it believes it is necessary to be able to defend or pursue such a claim. In general, LPC will endeavour to keep data only for as long as it needs it. This means that LPC will delete data when it is no longer needed.

### **4. YOUR RIGHTS REGARDING YOUR DATA**

- 4.1. You have the following rights with respect to your personal data:-
  - 4.1.1. The right to access personal data LPC holds on you
  - 4.1.2. The right to correct and update the personal data LPC holds on you
  - 4.1.3. The right to have your personal data erased
  - 4.1.4. The right to object to processing of your personal data or to restrict it to certain purposes only
  - 4.1.5. The right to data portability
  - 4.1.6. The right to withdraw your consent to the processing at any time for any processing of data to which consent was obtained
  - 4.1.7. The right to lodge a complaint with the Information Commissioner's Office.
- 4.2. When exercising any of the rights listed above, in order to process your request, LPC may need to verify your identity for your security. In such cases LPC will need you to respond with proof of your identity before you can exercise these rights.

- 4.3. The right to access personal data and to request a copy of the data held can be made. This should be made in accordance with LPC's Subject Access Requests Policy which can be found on LPC's website.
- 4.4. 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.

## **5. MISCELLANEOUS PROVISIONS**

- 5.1. 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.
- 5.2. If LPC wishes to use your personal data for a new purpose, not covered by this Privacy Policy, LPC will provide you with a Privacy Notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, LPC will seek your prior consent to the new processing.
- 5.3. We keep this Privacy Policy under regular review and we will place any updates on the relevant web page on LPC's website.
- 5.4. Please contact us if you have any questions about this Privacy Policy or the personal data LPC holds about you or to exercise all relevant rights, queries or complaints at:  
The Parish Clerk, Liss Parish Council, The Council Room, Village Hall, Hill Brow Road, Liss, Hampshire, GU33 7LA; or  
by email to: [clerk-smith@lissparishcouncil.gov.uk](mailto:clerk-smith@lissparishcouncil.gov.uk)

## **6. REVIEW**

This policy will be reviewed three years from the date of adoption by LPC.

Adopted by LPC on 10<sup>th</sup> June 2019

To be reviewed in 2022