

BLACKTHORN PARISH COUNCIL

DATA PROTECTION POLICY

1. The Data Protection Act.

The Data Protection Act 1998 and General Data Protection Regulations set out high standards for the handling of personal information and protecting individuals' rights for privacy. They also regulate how personal information can be collected, handled and used. The Data Protection Act and GDPR apply to anyone holding personal information about people electronically or on paper.

As a local authority Blackthorn Parish Council has a number of procedures in place to ensure that it complies with The Data Protection Act 1998 and GDPR when holding personal information. The Parish Council has also notified the Information Commissioner that it holds personal data about individuals.

2. 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 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.

3. Council information

This Privacy Policy is provided to you by **Blackthorn Parish Council** which is the data controller for your data.

4. Who are the data controllers?

The Council as a corporate body has ultimate responsibility for ensuring compliance with the Data Protection legislation. The Council has delegated this responsibility day-to-day to the Parish Clerk.

- **Email:** pcclerk@blackthornparishcouncil.org.uk

- **Correspondence:** North End House, Blackbull Lane, Fencott, Kidlington, Oxon. OX5 2RD

5. What personal is collected?

In order to conduct its business, services and duties, Blackthorn Parish Council processes a wide range of data, relating to its own operations.

In broad terms, this data can be classified as:

- data shared in the public arena about the services it offers, its mode of operations and other information it is required to make available to the public;
- confidential information and data not yet in the public arena such as ideas or policies that are being worked up;
- confidential information about other organisations because of commercial sensitivity;
- personal data concerning its current, past and potential employees, Councillors, and volunteers;
- personal data concerning individuals who contact it for information, to access its services or facilities or to make a complaint.

6. 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.

7. 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
- To process relevant financial transactions including grants and payments for goods and services supplied to the council

8. What is the legal basis for processing your personal data?

The council is a public authority and has certain powers and duties. 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. Sometime 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 Policy sets out your rights and the council's obligations to you in detail.

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 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.

9. Freedom of Information

The Freedom of Information Act 2000 provides public access to information held by public authorities. It does this in two ways:

- public authorities are obliged to publish certain information about their activities; and
 - members of the public are entitled to request information from public authorities.
- The Act covers any recorded information that is held by a public authority in England, Wales and Northern Ireland, and by UK-wide public authorities based in Scotland.

Recorded information includes printed documents, computer files, letters, emails, photographs, and sound or video recordings.

10. 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.

- (i) The right to access personal data we hold on you*
- (ii) The right to correct and update the personal data we hold on you*
- (iii) The right to have your personal data erased*
- (iv) The right to object to processing of your personal data or to restrict it to certain purposes only*
- (v) The right to data portability*
- (vi) The right to withdraw your consent to the processing at any time for any processing of data to which consent was obtained*
- (vii) 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.

11. 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 current 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.

12. Changes to this policy

This policy was adopted by Blackthorn Parish Council on **3 October 2024**

Minute Ref: **M8/2024-24.178-a-ii**

To be reviewed within two years **(2026)** or when an update is received from the Information Commissioner, if sooner.