

## **Privacy Notice**

### **General Public Privacy Notice**

Policy and Finance Committee Approved: July 2023

Due for next Review: July 2026

#### **1. Your personal data – what is it?**

1.1 “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. 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, the General Data Protection Regulation (the “GDPR) and other legislation relating to personal data and rights such as the Human Rights Act.

#### **2. Data Controller**

2.1 Fleet Town Council is the Data Controller for the use of personal data in this privacy notice.

#### **3. Other data controllers the Council works with:**

- Other Local Authorities (e.g. Hart District Council, Hampshire County Council)
- Community groups
- Charities
- Other not for profit entities
- Contractors
- Police
- Other organisations (e.g. Copyright Protection PRS, PPL)

3.1 The Council may need to share your personal data that is held with other data controllers so that they can carry out their responsibilities. If the Council 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 means all data controllers are collectively responsible to you for your data.

3.2 Where each of the parties listed above are processing your data for their own independent purposes then each of data controllers 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.

#### **4. The Council will process some or all of the following personal data where necessary to perform its tasks:**

- Names, titles, aliases, videos and 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, the Council, 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 Council facilities, financial identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers, and claim numbers.
- The personal data that is processed 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.

## **5. How the Council use sensitive personal data**

5.1 The Council may process sensitive personal data including, as appropriate:

- 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. The Council need to have further justification for collecting, storing, and using this type of personal data.
- The Council may process special categories of personal data in the following circumstances:
  - In limited circumstances, with your explicit written consent.
  - Where-needed to conduct any legal obligations.
  - Where it is needed in the public interest.
  - Less commonly, the Council 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.

## **6. Does the Council need your consent to process your sensitive personal data?**

6.1 In limited circumstances, the Council may need to process certain sensitive data in which the Council will approach you for your written consent. The Council will provide you with full details of the personal data needed and the reason why it is needed, so that you can carefully consider whether you wish to consent.

## **7. The Council will comply with data protection law**

7.1 This says that the personal data that the Council hold about you must be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that have been clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes that you have been informed about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes that you have been informed 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.

## **8. The Council use your personal data for some or all the following purposes:**

- To deliver public services including to understand your needs to provide the services that you request, to understand what the Council can do for you and inform you of other relevant services and events.
- 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 the Council to build up a picture of its performance.
- To prevent and detect fraud and corruption in the use of public funds and where necessary for the law enforcement functions.
- To enable the Council 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 the Council's own financial 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 the Council can plan the provision of services.
- For the streaming or recording of Council meetings and their publication online.
- Our processing may also include the use of CCTV systems for the prevention and prosecution of crime and for monitoring purposes.

## **9. What is the legal basis for processing your personal data?**

9.1 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 the personal data of residents or people using the Council's services. The Council will always take into account your interests and rights.

9.2 This Privacy Notice sets out your rights and the Council's obligations to you. The Council 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. Sometimes the use of your personal data requires your consent. The Council will first obtain your consent to that use.

## **10. Sharing your personal data.**

10.1 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 because they process and protect your personal data. It is likely that the Council will need to share your data with some or all the following (but only where necessary):

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

## 11. How long do the Council keep your personal data?

11.1 The Council will keep some records permanently if legally required to do so. The Council may keep some other records for an extended period. For example, it is currently best practice to keep financial records for a minimum period of 6 years to support HMRC audits or provide tax information.

11.2 The Council may have legal obligations to retain some data in connection with its statutory obligations as a public authority. The Council is permitted to retain data 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). The Council will retain some personal data for this purpose if believed it is necessary to be able to defend or pursue a claim. In general, the Council will endeavour to keep data only for as long as needed. This means that the data will be deleted when it is no longer needed.

## 12. Your rights and your personal data

12.1 You have the following rights with respect to your personal data:

- When exercising any of the rights listed below, to process your request, the Council may need to verify your identity for your security. In such cases the Council will need you to respond with proof of your identity before you can exercise these rights.
- **The right to access personal data that the Council hold on you.**
  - At any point you can contact the Council to request the personal data that is held on you as well as why the Council have that personal data, who has access to the personal data and where the Council obtained the personal data from. Once the Council have received your request, your request will responded to 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.
- **The right to correct and update the personal data the Council hold on you.**
  - If the data the Council hold on you is out of date, incomplete or incorrect, you can inform the Council and your data will be updated.
- **The right to have your personal data erased.**
  - If you feel that the Council should no longer be using your personal data or that the Council are unlawfully using your personal data, you can request that the Council erase the personal data that is held.

- When the Council receive your request, it will be confirmed whether the personal data has been deleted or the reason why it cannot be deleted (for example because the Council need it for to comply with a legal obligation).
- **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 the Council stop processing your personal data or ask the Council to restrict processing. Upon receiving the request, the Council will contact you and let you know if the Council are able to comply or whether the Council have a legal obligation to continue to process your data.
- **The right to data portability**
  - You have the right to request that the Council transfer some of your data to another controller. The Council will comply with your request, where it is feasible to do so, within one month of receiving your request.
- **The right to withdraw your consent for the processing of any data to which consent was obtained.**
  - You can withdraw your consent easily by telephone, email, or by post (see Contact Details below).
- **The right to lodge a complaint with the Information Commissioner's Office.**
  - You can contact the Information Commissioner's Office on 0303 123 1113 or via their online web form at <https://ico.org.uk/global/contact-us/> or by letter to Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

### **13. Transfer of Data Abroad**

13.1 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.

### **14. Further processing**

14.1 If the Council wish to use your personal data for a new purpose, not covered by this Privacy Notice, then the Council 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, the Council will seek your prior consent to the new processing.

### **15. Changes to this notice.**

15.1 The Council keep this Privacy Notice under regular review and will place any updates on [www.fleet-tc.gov.uk](http://www.fleet-tc.gov.uk).

### **16. Contact Details**

16.1 Please contact Fleet Town Council if you have any questions about this Privacy Notice or the personal data that is held about you or to exercise all relevant rights, queries, or complaints at:

Executive Officer, Fleet Town Council, The Harlington, 236 Fleet Road, Fleet, Hampshire, GU51 4BY.

Tel: 01252 625246

Email: [info@fleet-tc.gov.uk](mailto:info@fleet-tc.gov.uk)