

Gressenhall Parish Council

Privacy Notice

1 Introduction

The [Data Protection Act \(2018\)](#) gives you the right to know what personal data Gressenhall PC may collect about you, how we process it, how long we keep it, and who we may share it with. This Privacy Notice provides that information.

If you provide the personal data, we must give you this information either in advance or as we collect it. If we obtain the information from other sources, we must notify you that we have it as soon as possible, and within at most 30 days. We will normally do this by providing a link to this Privacy Notice. You may also request a printed copy.

2 The information we collect and use

This section identifies the personal data we may process, why we need to process it, and our lawful basis for doing so, as required by the Data Protection Act. The lawful bases are shown in bold and the Information Commissioner's Office (ICO) has [a summary](#) of their definition in the Act.

- a. If you supply goods or services to Gressenhall PC, or are employed by us, we will hold sufficient information about you to maintain our accounting records and make payments. We shall pass account names and details to our bank (Unity Trust Bank) so they can make payments. We shall provide His Majesty's Revenue and Customs (HMRC) with employees' personal information where this is required for tax purposes.

Our internal processing for establishing agreements and making payments is covered by the lawful basis for **contracts**. We publish and provide access to the financial information required by the [Transparency Code for Smaller Authorities](#) and related legislation on the basis of **legal obligation**. This also covers access by councillors and by the appointed auditors for periodic financial checks. The UK Government has determined that the benefits of transparency outweigh the potential harm from loss of confidentiality when publishing the financial information required by the Transparency Code.

We also have a **legal obligation** to provide some personal data to HMRC.

- b. Gressenhall PC makes use of information published by other bodies when exercising our statutory powers (for example, when we review planning applications). This may contain personal data. Our processing is on the basis that this is a **public task**, but we shall notify you that we have received the data where this is reasonably practicable.
- c. Gressenhall PC will hold your personal information if you have contacted us about something. Other than your contact details, this will only be information you have chosen to provide, and it will only be used to respond to the issue

you have raised. We process your initial contact on the basis that we have a **legitimate interest** in supporting our residents, and a **legal obligation** to maintain enough information to satisfy Data Protection Act and Freedom of Information Act requests. If a response to your issue requires your personal data to be shared beyond your original point of contact, we shall ask for explicit **consent** before doing so.

- d. If Gressenhall PC receives personal information on you other than as described in paragraphs (b) and (c), we shall contact you for explicit **consent** to hold and process that information, unless we are sharing it as described in paragraph 0(d).
- e. The Data Protection Act requires special treatment for some types of personal data:
 - Information revealing racial or ethnic origins, political opinions, religious or philosophical beliefs, or trade union membership.
 - Genetic data, and biometric data used for identification.
 - Data concerning health, sex life or sexual orientation.

Gressenhall PC does not use biometric data for identification. We shall ask for your explicit **consent** to hold special personal information unless we are sharing it as described in paragraph 0(d).

- f. Gressenhall PC receives communications from many organisations, public and private. These may contain personal data, such as the name or e-mail address of the person sending it. We process these on the basis that we have a **legitimate interest** in supporting our residents. However, we shall redact this information where possible before circulating the communication.
- g. The Parish Clerk is the point of contact for the Gressenhall PC, and we publish their contact details in support of our **public task**. However, any use of personal information where there is a reasonably practicable alternative is by **consent**.
- h. Gressenhall PC holds and publishes information on the Parish Councillors. This is processed on the basis of **legitimate interest** for contact details held by the Clerk or other councillors, on the basis of **legal obligation** where publication is required by the [Localism Act 2011](#) or other legislation, and on the basis of **consent** for any other published information.

3 Your rights

The Data Processing Act gives you rights to know about and control how we use your personal data. These are summarised in this section.

To exercise any of these rights, or if you have a concern about the way we are processing your data, you should speak to, write to or e-mail the Parish Clerk, who is the data controller for Gressenhall PC.

Laundry Cottage
Kenninghall Road
Gressenhall
Diss

Norfolk
IP22 2SJ

Email: clerk@gressenhall-pc.norfolkparishes.gov.uk.

Gressenhall PC must respond to your request as soon as possible, and in any case within one month.

If you remain unhappy with how we have used your data after raising a complaint with us, you can also complain to the ICO.

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Helpline number: 0303 123 1113

Web site: <https://www.ico.org.uk/make-a-complaint>.

3.1 The right to withdraw consent

Some of our processing of your personal data relies on your consent (see Section 2). You have the right to withdraw your consent at any time by contacting the person who originally asked for consent or the Parish Clerk. We shall not then process that personal data any further. After withdrawing consent, you have the right to ask for the information to be deleted (see Section 1.c). The ICO provides [guidance on the right to withdraw consent](#).

Councillors may withdraw their consent to the processing of personal data that is not needed to comply with legislation, by contacting the Parish Clerk.

a. The right of access

You have the right to ask whether Gressenhall PC is processing your personal information, where we get that information, and who we share it with. You also have the right to request a copy of the personal information we hold on you. Gressenhall PC must supply this information in a secure way, so we may need to confirm your identity and agree how we will provide it. The ICO provides [guidance on making a request](#).

Gressenhall PC is not obliged to provide documents that are related to negotiations with you for goods or services where these would prejudice the negotiation, and information may be exempt from release in some other circumstances. We shall also redact other people's personal information unless they consent to its release to you.

b. The right to rectification

You have the right to ask Gressenhall PC to correct or delete personal information you think is inaccurate or incomplete. Where we have shared the information with a third party, we must also get them to correct it where possible. You may ask us to

restrict processing until this issue is resolved (see Section e). There is [ICO guidance on requesting rectification](#).

c. The right to erasure

You have the right to ask Gressenhall PC to delete your personal information, unless we hold it to meet a legal obligation or perform a public duty as described in Section **Error! Reference source not found.** In particular, you have the right to ask for your data to be deleted if you withdraw consent, where that was the lawful basis for the processing. There are some limitations on this right that are described in the ICO [guidance on requesting erasure](#).

d. The right to object

You have the right to object to Gressenhall PC processing your personal data where we do so on the basis of a legitimate interest or performing a public task. (If we are processing with your consent, you can withdraw that consent instead: see Section 3.1.) The ICO provides further details in its [guidance](#), including the circumstances where we could override an objection.

e. The right to restrict processing

You have the right to ask Gressenhall PC to limit how we use your personal information if you have objected to its use or have asked for a correction and are awaiting a response. You may also ask us not to delete information where you need it to support a legal claim. For more information, see the ICO [guidance on the right to restriction of processing](#).

f. The right to data portability

You have the right to ask Gressenhall PC to transfer the personal information you provided to another organisation, or to you. We must provide the data in a form suitable in principle for transfer to another system. This right only applies where we process the data by consent or to support a contract and, unlike the other rights, does not cover paper records. The [ICO guidance](#) provides more detail.

In general, this right covers personal information that we gather when you interact with our systems, such as the web site. We do not gather any information of this kind.

g. The right not to be subject to automated decision-making or profiling

You have the right to ask organisations not to make significant decisions about you by computer processing without human involvement, or to explain how such decisions have been reached. You can also request that they do not target direct marketing based on automated analysis of your personal data (profiling). The ICO has [guidance on the details of this right](#).

Gressenhall PC does not use any automated decision-making or profiling.

h. The right to access information

The [Freedom of Information Act \(2000\)](#) gives you the right to ask whether Gressenhall PC holds information about a particular topic, and for copies of that information in a format that we would agree with you. It also sets out various grounds for refusing or redacting information, such as confidentiality. The ICO provides [guidance](#) on how to make a request and what to expect in a response, including an explanation of the exemptions that we could use.

The [Environmental Information Regulations \(2004\)](#) allow you access to information on the state of the environment and issues that are likely to affect it. Gressenhall PC does not usually produce any information of this kind but may sometimes acquire it from other sources.

4 How long we keep information

The Data Protection Act requires Gressenhall PC to keep personal data for no longer than is necessary for the purposes of the processing. Our Data Management Policy sets out how we manage this. It must then be deleted securely as described in our Data Security Policy.

Our Document Retention Policy sets out the retention time for the various kinds of records we hold. (These do not all contain personal data.)

5 Who we share information with

- a. Norfolk Association of Local Councils (NALC) hosts our web site and e-mails, through contracts with third parties based in the UK. These only contain personal data where we have a legal basis for sharing it within Gressenhall PC or more widely, as set out in Section 2, and where it is necessary to use it.
- b. If you provide us with goods or services, we provide your account name and number, together with payment amounts, to Unity Trust Bank so that they can make payments. We also share details of payments with the auditors required by regulations made under the Local Audit and Accountability Act 2014.
- c. If you contact us about an issue, we may suggest that it is best raised with another authority or organisation, and we may offer to do so on your behalf. If so, we may pass on personal information, but only to the extent necessary for that authority or organisation to act, and only with your consent.
- d. Gressenhall PC may, in exceptional circumstances, pass personal information to other authorities or organisations on the basis of **legal obligation** (such as a court order), **legitimate interest** in preventing or prosecuting criminal action, or **vital interest** (to protect life). We shall only pass the personal data that is necessary for that purpose. Where reasonably practicable we shall inform you that your information has been shared, provided this does not interfere with the purpose of sharing it.
- e. We may receive information requests under the Freedom of Information Act 2000 and the Data Protection Act. Requests are considered on a case by case basis and we shall only disclose your personal information where we are legally required to do so. Where reasonably practicable, we shall inform you that your information has been shared.

We do not share your information with any third parties for the purposes of direct marketing.