

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 (e.g. 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 UK, including the General Data Protection Regulation (GDPR) and other local legislation relating to personal data and rights such as the Human Rights Act.

2. Council information

- 2.1. This Privacy Policy is provided to you by Pencombe Group Parish Council ("the Council"), which is the data controller for your data.
- 2.2. Where information may be shared with other data controllers, e.g. Herefordshire Council, Pencombe Group Parish Council will be the joint data controller.

3. Processing data to perform tasks

- 3.1. Pencombe Group Parish Council will process some or all of the following personal data where necessary to perform its tasks:
- 3.1.1. Names, titles, aliases and photographs.
 - 3.1.2. Start date / leaving date.
 - 3.1.3. Contact details such as telephone numbers, addresses and email addresses.
 - 3.1.4. Where they are relevant to our legal obligations, or where you provide them to us, we may process demographic information such as gender, age, marital status, nationality, education/work histories, academic/professional qualifications, hobbies, family composition, and dependents.
 - 3.1.5. Non-financial identifiers such as passport numbers, driving licence numbers, vehicle registration numbers, taxpayer identification numbers, staff identification numbers, tax reference codes, and National Insurance numbers.
 - 3.1.6. Financial identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers, and claim numbers.
 - 3.1.7. Financial information such as National Insurance number, pay and pay records, tax code, tax and benefits contributions, expenses claimed.
 - 3.1.8. Other operational personal data created, obtained, or otherwise processed in the course of carrying out our activities, including but not limited to, CCTV footage, recordings of telephone conversations, IP addresses and website visit histories, logs of visitors, and logs of accidents, injuries and insurance claims.
 - 3.1.9. Next of kin and emergency contact information

- 3.1.10. Recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process and referral source (e.g. agency, staff referral).
- 3.1.11. Location of employment or workplace.
- 3.1.12. Other staff data (not covered above) including level, performance management information, languages and proficiency; licences/certificates, immigration status; employment status; information for disciplinary and grievance proceedings; and personal biographies.
- 3.1.13. CCTV footage and other information obtained through electronic means such as swipecard records.
- 3.1.14. Information about your use of our information and communications systems.

4. Sensitive personal data

- 4.1. The personal data we process may include sensitive or other special categories of personal data relating to staff, councillors and role holders.
- 4.2. These types of data are described in the GDPR 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.
- 4.3. Pencombe Group Parish Council may process special categories of personal data in the following circumstances:
 - 4.3.1. In limited circumstances, with your explicit written consent.
 - 4.3.2. Where we need to carry out our legal obligations.
 - 4.3.3. Where it is needed in the public interest, such as for equal opportunities monitoring.
 - 4.3.4. Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.
 - 4.3.5. Less commonly, where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interest) and you are not capable of giving your consent, or where you have made the information public.
- 4.4. Pencombe Group Parish Council do not need your consent if we use sensitive personal data in accordance with our rights and obligations in the field of employment and social security law.
- 4.5. 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.
- 4.6. It is not a condition of your contract with us that you agree to any request for consent from us.

5. Information about criminal convictions

- 5.1. Pencombe Group Parish Council may only use personal data relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection policy.

- 5.2. Less commonly we may use personal data relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary 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.
- 5.3. We will only collect personal data about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so. Where appropriate we will collect personal data about criminal convictions as part of the recruitment process or we may be notified of such personal data directly by you in the course of you working for us.

6. Compliance with data protection law

- 6.1. Pencombe Group Parish Council will comply with data protection law. This says that the personal data we hold about you must be:
 - 6.1.1. Used lawfully, fairly and in a transparent way.
 - 6.1.2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
 - 6.1.3. Relevant to the purposes we hold we have told you about and limited only to those purposes.
 - 6.1.4. Accurate and kept up to date.
 - 6.1.5. Kept only as long as necessary for the purposes we have told you about.
 - 6.1.6. 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.

7. Use of personal data

- 7.1. Pencombe Group Parish Council needs all the categories of personal data listed in (3) above primarily to allow us to perform our contract with you and to enable us to comply with legal obligations:
 - 7.1.1. Making a decision about your recruitment or appointment.
 - 7.1.2. Determining the terms on which you work for us.
 - 7.1.3. Checking you are legally entitled to work in the UK.
 - 7.1.4. Paying you and, if you are an employee, deducting tax and National Insurance contributions.
 - 7.1.5. Providing any contractual benefits to you.
 - 7.1.6. Liaising with your pension provider.
 - 7.1.7. Administering the contract we have entered into with you.
 - 7.1.8. Management and planning, including accounting and auditing.
 - 7.1.9. Conducting performance reviews, managing performance and determining performance requirements.
 - 7.1.10. Making decisions about salary reviews and compensation.
 - 7.1.11. Assessing qualifications for a particular job or task, including decisions about promotions.

- 7.1.12. Conducting grievance or disciplinary proceedings.
- 7.1.13. Making decisions about your continued employment or engagement.
- 7.1.14. Making arrangements for the termination of our working relationship.
- 7.1.15. Education, training and development requirements.
- 7.1.16. Dealing with legal disputes involving you, including accidents at work.
- 7.1.17. Ascertaining your fitness to work.
- 7.1.18. Managing sickness absence.
- 7.1.19. Complying with health and safety obligations.
- 7.1.20. To prevent fraud.
- 7.1.21. To monitor your use of our information and communication systems to ensure compliance with our IT policies.
- 7.1.22. To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution.
- 7.1.23. To conduct data analytics studies to review and better understand employee retention and attrition rates.
- 7.1.24. Equal opportunities monitoring.
- 7.1.25. To undertake activity consistent with our statutory functions and powers including any delegated functions.
- 7.1.26. To maintain our own accounts and records.
- 7.1.27. To seek your views or comments.
- 7.1.28. To process a job application.
- 7.1.29. To administer councillors' interests.
- 7.1.30. To provide a reference.
- 7.1.31. The use of CCTV systems for monitoring purposes.

7.2. Some of the above ground for processing will overlap and there may be several grounds which justify our use of your personal data.

7.3. We will only use your personal data when the law allows us to.

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

8.1. Some of our processing is necessary for compliance with legal obligations.

8.2. Pencombe Group Parish Council may also process data if it is necessary for the performance of a contract with you, or to take steps to enter into a contract.

8.3. We will process your data in order to assist you in fulfilling your role in the council including administrative support or if processing is necessary with a legal obligation.

9. Sharing your personal data

- 9.1. Your personal data will only be shared with third parties including other data controllers where it is necessary for the performance of the data controllers' tasks or where you first give us your prior consent. It is likely that we will need to share your data with:
- 9.1.1. Our agents, suppliers and contractors. For example, we may ask a commercial provider to manage our HR/ payroll functions , or to maintain our database software.
 - 9.1.2. Other persons or organisations operating within local community.
 - 9.1.3. Other data controllers, such as local authorities, public authorities, central government and agencies such as HMRC and DVLA.
 - 9.1.4. Staff pension providers.
 - 9.1.5. Former and prospective employers.
 - 9.1.6. DBS services suppliers.
 - 9.1.7. Payroll services providers.
 - 9.1.8. Recruitment agencies.
 - 9.1.9. Credit reference agencies.
 - 9.1.10. Professional advisors.
 - 9.1.11. Trade unions or employee representatives.

10. How long do we keep your personal data?

- 10.1. 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.

11. Your responsibilities

- 11.1. It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your working relationship with us.

12. Your rights and personal data

- 12.1. You have the following rights with respect to personal data.

12.1.1. The right to access personal data we hold on you.

- 12.1.1.1. At any point you can contact us to request the personal data we hold on you and why we have that personal data, who has access to it and where we obtained it from. Once we have received your request we will respond within one month.

12.1.1.2. 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.

12.1.2. The right to correct and update the personal data we hold on you.

12.1.2.1. If the data we hold on you is out of date, incomplete or incorrect, you can inform us and your data will be updated.

12.1.3. The right to have your personal data erased.

12.1.3.1. 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.

12.1.3.2. When we receive your request we will confirm whether the personal data has been deleted or the reason why it cannot be deleted (e.g. because we need it to comply with a legal obligation).

12.1.4. The right to object to processing of your personal data or to restrict it to certain purposes only.

12.1.4.1. You have the right to request that we stop processing your personal data or ask us to restrict processing.

12.1.4.2. Upon receiving the request we will confirm we are able to comply or if we have a legal obligation to continue to process your data.

12.1.5. The right to data portability.

12.1.5.1. You have the right to request that we transfer some of your data to another data controller. We will comply with your request where it is feasible to do so within one month of receiving your request.

12.1.6. The right to withdraw your consent to the processing at any time for any processing of data to which consent was obtained.

12.1.6.1. You can withdraw your consent easily by contacting the Parish Clerk, as Data Protection Compliance Officer.

12.1.7. The right to lodge a complaint with the Information Commissioner's Office (ICO).

12.1.7.1. You can contact the ICO via <https://ico.org.uk/global/contact-us/email/> or 0303 123 1113.

12.2. When exercising any of the rights, 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.

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

15. Changes to this policy

15.1. This Privacy Policy is kept under regular review and we will place any updates on our website: <http://pencombegrouppc.org.uk/council-business/parish-council-documentation/>.

This Privacy Policy were adopted by the Parish Council at a meeting of the Council held on:

26th June 2018
