

# PRIVACY POLICY

## Introduction

This document sets out how Radnage Parish Council (RPC) is committed to protecting the rights and freedoms of data subjects, safely and securely processing personal data in accordance with all legal obligations, the rights of data subjects, and RPC's main obligations.

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This Privacy Policy will be reviewed regularly to ensure currency with latest data protection legislation. This version reflects the introduction of GDPR, effective from 25<sup>th</sup> May 2018.

As a Data Controller, how RPC process the personal data we hold is governed by UK data legislation, in particular the General Data Protection Regulation (GDPR), as well as other legislation relating to personal data and rights such as the Human Rights Act (HRA)

## On what Legal Basis can RPC Process Personal Data?

RPC is a public authority and has certain powers and obligations. Most personal data is processed for compliance with a legal obligation which includes the discharge of the council's statutory functions and powers, or persons using the council's services. We will always take into account interests and rights. At times the use of personal data will require specific consent. We will always first obtain consent to that use.

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## Principles of Data Protection

RPC commits to comply with the principles of data protection, as defined in the GDPR, viz:

- **Lawful, fair and transparent**
  - Data collection must be fair, for a legal purpose and we must be open and transparent as to how the data will be used.
- **Limited for its purpose**
  - Data can only be collected for a specific purpose.
- **Data minimisation**
  - Any data collected must be necessary and not excessive for its purpose.
- **Accurate**
  - The data we hold must be accurate and kept up to date.
- **Retention**
  - We cannot store data longer than necessary.
- **Integrity and confidentiality**
  - The data we hold must be kept safe and secure.

## What Personal Data does RPC hold?

We mainly hold personal data about our councillors, employees, and members of the public using our specific services (e.g. allotment rentals, Village Hall rentals) Less frequently, we may need to hold personal data related to volunteers or individuals who are service suppliers to the council. Also included are persons requesting information from us.

In order to perform its legitimate duties, tasks and supply of parish council services, RPC may process, or have access to, some or all of the following personal data:

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- Identifying details – names, titles, aliases and, very rarely, photographs
- Contact details - telephone numbers, physical/postal addresses and email addresses
- Where relevant to the services provided by us, or where provided to us, we may process information such as gender, age, marital status, nationality, education and work history, academic or professional qualifications, hobbies, family composition, and dependants. These are very rarely required.
- Where payment is taken for activities such as use of our Village Hall or other facilities, financial identifiers such as bank account or payment card details, payment or transaction identifiers, policy numbers, and claim numbers.
- On only very rare occasions and not currently held, the data we process 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 or treatment received, political beliefs, trade union affiliation, genetic data, biometric data, sexual life or orientation. In these circumstances, we will always approach the individual for written consent. If we do so, we will provide full details of the personal data that we would like and the reason we need it, so that it may be carefully considered for consent.
- As a tier of government, and in order to discharge certain duties, RPC has access to the Voters Roll of residents in Radnage parish. Please note that RPC is not the owner, or Data Controller, in this instance.

## Sharing Personal Data

When legally required or permitted, RPC may work with other Data Controllers, or be required to share personal information with Third Parties - in particular Local Authorities and other branches of government and Community Groups. Sharing the personal data we hold is extremely rare and we will only do so when it is legally authorised. Any third party with whom we share data also has a legal obligation to put in place appropriate security measures and will be responsible to the data subject directly for the manner in which they process and protect personal data.

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In order to discharge certain duties, RPC has full legal access to the Voters Roll, as regards residents in the parish of Radnage. RPC is not the owner of the data in this instance.

## **How Long do we Retain Personal Data?**

In general, we will endeavour to keep personal data only for as long as we need it. This means that we will permanently delete it when it is no longer needed or there is no legal requirement to retain that data. If we are legally required to do so, we may keep some records for an extended period of time.

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.

## **Your Individual Rights to your own 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.

- ***The right to access personal data we hold on you***
  - At any point you can contact us to request the personal data we hold on you as well as why we have that personal data, who has access to the personal data and where we obtained the personal data from. Once we have received your request we will respond 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 we hold on you***
  - If the data we hold on you is out of date, incomplete or incorrect, you can inform us and your data will be updated.
- ***The right to have your personal data erased***
  - 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.
  - When we receive your request we will confirm whether the personal data has been deleted or the reason why it cannot be deleted (for example because we 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 we stop processing your personal data or ask us to restrict processing. Upon receiving the request we will contact you and let you know if we are able to comply or if we have a legal obligation to continue to process your data.
- ***The right to data portability***
  - You have the right to request that we transfer some of your data to another controller. We 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 to the processing at any time for any processing of data to which consent was obtained***
  - You can withdraw your consent by telephone, email, or by post.
- ***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.

## **Transfer of Data Abroad**

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.

## **Further Processing**

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

## **Contact Details**

***Please contact us if you have any questions about this Privacy Notice or the personal data we hold about you or to exercise all relevant rights, queries or complaints at:***

***The Data Controller, c/o Radnage Parish Clerk, Radnage Parish Council***

***by post: Hinds Hill, Sprigs Holly Lane, Chinnor, Oxfordshire OX39 4BY***

***by email: [parish.clerk@radnage.net](mailto:parish.clerk@radnage.net)***

***by telephone: 01494 485017***