

GDPR – Privacy Policy

Landkey Parish Council

Privacy Policy

Reviewed by the Council on 6th November 2024

Review Date: – May 2026

This Policy was adopted by the Parish Council in order to comply with the requirements of the General Data Protection Regulations (GDPR), in force on 25 May 2018.

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 directly using the personal 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 General Data Protection Regulation (the “GDPR”) and other local legislation relating to personal data and rights such as the Human Rights Act.

Council information

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

The Council’s address is:

C/o 1 Old Bakery Cottages, Bickington, Barnstaple EX31 2JW

We will always respect the privacy of individuals who browse our website and leave contact details with us. Please read our privacy policy carefully as it contains important information about what to expect when we collect personal information about you and how we will use (process) that data.

Landkey Parish Council does not track your activity as an individual

The Council will process some or all of the following personal data where necessary to perform its tasks

- Names, titles, and aliases, photographs;
- Contact details such as telephone numbers, addresses, and email addresses;

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.

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 prevent and detect fraud and corruption in the use of public funds and where necessary for the law enforcement functions;
- To enable us to meet all legal and statutory obligations and powers including any delegated functions;
- To promote the interests of the council;
- To maintain our own accounts and records;
- To seek your views, opinions or comments;
- To notify you of changes to our facilities, services, events and staff, councillors and 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

What is the legal basis for processing your personal data?

The Council has always required a legal basis to processing personal data. The General Data Protection Regulations include five lawful bases for local councils. It is possible for more than one to apply at the same time. The five bases are

- **Compliance with legal obligation:** 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.
- **Contractual necessity:** 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.
- **Consent:** Sometimes the use of your personal data requires your consent. On these occasions we will first obtain your consent to that use.

The other two legal bases that apply to the Parish Council are:

- **Vital interests:** It is possible to process personal information to protect an individual without their consent e.g. in a life or death situation where emergency contact information is needed
- **Public Interest:** When the Parish Council is acting in the public interest, personal data may be processed if it is necessary to undertake the tasks.

Sharing your personal data –

The council will implement appropriate security measures to protect your personal data. This section of the Privacy Policy provides information about the third parties with whom the council will share your personal data. These third parties also have an obligation to put in place appropriate security measures and will be responsible to you directly for the manner in which they process and protect your personal data. It is likely that we will need to share your data with some or all of the following (but only where necessary):

Other potential data controllers –

- **Devon County Council**
- **North Devon Council**

We may need to share your personal data we hold with them so that they can carry out their responsibilities to Tawstock Parish Council. If we work together for a joint purpose that involves your personal data we are joint data controllers. This means those involved are all responsible to you for how we process your data. If there is no joint purpose then each data controller is independent and is individually responsible to you

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.

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.

The right to be informed e.g. through this policy

The right to access personal data we hold on you. At any time you can request the data we hold on you as well as why we have it, who has access to it and where it was obtained from. We will respond to requests within one month of receiving them. There is no charge for the first request.

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 we will update it

The right to have your personal data erased if you feel we should no longer be using it or are using it unlawfully. When we receive your request, we will then either confirm that it has been deleted or explain why it cannot be deleted. e.g. because we need it 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 can request us to stop processing your data or ask us to restrict what we do with it. When we receive your request, we will let you know if we are able to comply or if we have a legal obligation to continue

The right to data portability – You can request that we transfer data to another controller. Where this is feasible, we will do this 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. Please use the contact details below to do this.

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.
Our website (www.landkeyvillage.com)

• **Links to other websites** – Our website contains links to other websites. This privacy policy only applies to our website so when you link to other websites you should read their own privacy policies. Please address any queries concerning this privacy policy, our website or any other general query to us.

• **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. [Our website is also accessible from overseas so on occasion some personal data (for example in a newsletter) may be accessed from overseas].

Further processing

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.

Changes to this policy

We keep this Privacy Policy under regular review and we will place any updates on www.tawstockparishcouncil.com

Contact Details

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

The Data Controller,
Landkey Parish Council
c/o 1 Old Bakery Cottages, Bickington, Barnstaple