

# **Your Privacy**

**Montacute Parish Council is committed to protecting your privacy when you use our services. The Privacy Notice below explains how we use information about you and how we protect your privacy.**

## **Why we use personal information**

### **Do you know what personal information is?**

Personal information can be anything that identifies and relates to a living person. This can include information that, when put together with other information, can then identify a person. For example, this could be your name and contact details.

### **Did you know that some of your personal information might be ‘special’?**

Some information is ‘special’ and needs more protection due to its sensitivity. It’s often information you would not want widely known and is very personal to you. This is likely to include anything that can reveal your:

- sexuality and sexual health;
- religious or philosophical beliefs;
- ethnicity’
- physical or mental health;
- trade union membership;
- political opinion;
- genetic/biometric data;
- Criminal history.

### **Why do we need your personal information?**

We may need to use some information about you to:

- deliver services and support to you;
- manage those services we provide to you;
- train and manage the employment of our workers who deliver those services;
- help investigate any worries or complaints you have about your services;
- keep track of spending on services;
- check the quality of services; and
- to help with research and planning of new services.

### **How the law allows us to use your personal information**

There are a number of legal reasons why we need to collect and use your personal information.

Generally, we collect and use personal information in the where:

- you, or your legal representative, have given consent
- you have entered into a contract with us
- it is necessary to perform our statutory duties
- it is necessary to protect someone in an emergency
- it is required by law
- it is necessary for employment purposes
- you have made your information publicly available
- it is necessary for legal cases
- it is to the benefit of society as a whole
- it is necessary to protect public health
- it is necessary for archiving, research, or statistical purposes

If we have consent to use your personal information, you have the right to remove it at any time. If you want to remove your consent, please contact [clerk\\_montacutepc@hotmail.co.uk](mailto:clerk_montacutepc@hotmail.co.uk) and tell us which service or services you are using so we can deal with your request.

## **We only use what we need!**

Where we can, we will only collect and use personal information if we need it to deliver a service or meet a requirement.

If we do not need personal information we will either keep you anonymous if we already have it for something else or we will not ask you for it. For example, in a survey we may not need your contact details we will only collect your survey responses.

If we use your personal information for research and analysis, we will always keep you anonymous or use a different name unless you have agreed that your personal information can be used for that research.

## **Who do we share your information with?**

We may share your personal information across the Council and with other partner organisations, where this is necessary, e.g. to provide a service. We will never share your personal information with a third party unless we have a lawful reason to do. We sometimes share your information when we feel there is a good reason that is more important than protecting your privacy. This does not happen often but we may share your information:

- in order to find and stop crime and fraud; or
- if there are serious risks to the public, our staff or to other professionals;
- to protect a child; or
- to protect adults who are thought to be at risk, for example if they are frail, confused or cannot understand what is happening to them.

We may use other organisations to either store personal information or help deliver our services to you. Where we have these arrangements there is always an agreement in place to make sure that the organisation complies with data protection law.

We will often complete a privacy impact assessment (PIA) before we share personal information to make sure we protect your privacy and comply with the law.

Where your information is shared, we will make sure that we record what information we share and our reasons for doing so. We will let you know what we have done and why if we think it is safe to do so, unless we are not required to do so. For example, if a person is under investigation for fraud, letting them know that an investigation is taking place may disrupt the investigation so we would not need to tell them.

## **Will I be contacted for marketing purposes?**

We do not make your personal details available to third parties for marketing purposes.

## **What you can do with your information**

The law gives you a number of rights to control what personal information is used by us and how it is used by us.

## **You can ask for access to the information we hold on you**

You have the right to ask for all the information we have about you and the services you receive from us. When we receive a request from you in writing, we must give you access to everything we have recorded about you.

However, we cannot let you see any parts of your record which contain:

- confidential information about other people; or
- data a professional thinks will cause serious harm to you or someone else's physical or mental wellbeing; or
- if we think that giving you the information may stop us or another organisation from preventing or detecting a crime.

This applies to personal information that is in both paper and electronic records. If you ask us, we will also let others see your record (except if one of the points above applies).

If you would like to ask for access to the information that we hold on you please contact [clerk\\_montacutepc@hotmail.co.uk](mailto:clerk_montacutepc@hotmail.co.uk) to request a Subject Access Request Form and either return this form via the above email or alternatively send it to:

The Parish Clerk

Montacute Parish Council

24 High Street

Stoke sub Hamdon

TA14 6PS

## **You can ask to change information you think is inaccurate**

You should let us know if you disagree with something written on your file.

We may not always be able to change or remove that information but we'll correct factual inaccuracies and may include your comments in the record to show that you disagree with it.

If you would like to ask to change information you think is inaccurate please send an email to [clerk\\_montacutepc@hotmail.co.uk](mailto:clerk_montacutepc@hotmail.co.uk) or alternatively send a letter to:

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## **You can ask to delete information (right to be forgotten)**

In some circumstances you can ask for your personal information to be deleted, for example:

- where your personal data is no longer needed for the reasons why it was collected in the first place;
- where you have removed your consent for us to use your information (where there is no other legal reason for us to use it);
- where there is no legal reason for the use of your information;
- where deleting the information is a legal requirement.

Where your personal information has been shared with others, we will do what we can to make sure those using your personal information comply with your request for deletion.

Please note that we cannot delete your information where:

- we are required to have it by law;
- it is used for freedom of expression;
- it is used for public health purposes;
- it is for, scientific or historical research, or statistical purposes where it would make information unusable; or
- it is necessary for legal claims.

If you would like to ask for your information to be deleted please send an email to [clerk\\_montacutepc@hotmail.co.uk](mailto:clerk_montacutepc@hotmail.co.uk) or alternatively send a letter to:

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## **You can ask to limit what we use your personal data for**

You have the right to ask us to restrict what we use your personal information for where:

- you have identified inaccurate information, and have told us of it;
- where we have no legal reason to use that information but you want us to restrict what we use it for rather than delete the information altogether.

When information is restricted it cannot be used other than to securely store the data and with your consent to handle legal claims and protect others, or where it's for important public interests of the UK.

Where restriction of use has been granted, we will inform you before we carry on using your personal information.

Where possible we will seek to comply with your request, but we may need to hold or use information because we are required to by law.

If you would like to ask us to limit what we use your personal data for please send an email to [clerk\\_montacutepc@hotmail.co.uk](mailto:clerk_montacutepc@hotmail.co.uk) or alternatively send a letter to:

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## **You can ask to have your information moved to another provider (data portability)**

You have the right to ask for your personal data to be given back to you or another service provider of your choice in a commonly used format. This is called data portability.

However, this only applies if we are using your personal information with consent (not if we are required to by law) and if decision were made by a computer and not a human being.

It is likely that data portability will not apply to most of the services you receive from the council.

You can ask to have any computer made decisions explained to you, and details of how we may have 'risk profiled' you

You have the right to question decisions made about you by a computer, unless it's required for any contract you have entered into, required by law, or you've consented to it.

You also have the right to object if you are being 'profiled'. Profiling is where decisions are made about you based on certain things in your personal information, e.g. your health conditions.

If you have any concerns regarding automated decision making, or profiling, please send an email to [clerk\\_montacutepc@hotmail.co.uk](mailto:clerk_montacutepc@hotmail.co.uk) or alternatively send a letter to:

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## **How do we protect your information?**

We will do what we can to make sure we hold records about you (on paper and electronically) in a secure way, and we will only make them available to those who have a right to see them. Examples of our security include:

- Encryption, meaning that information is hidden so that it cannot be read without special knowledge (such as a password). This is done with a secret code or what is called a 'cypher'. The hidden information is said to then be 'encrypted'.
- Pseudonymisation, meaning that we will use a different name so we can hide parts of your personal information from view. This means that someone outside of the Council could work on your information for us without ever knowing it was yours.
- Controlling access to systems and networks allows us to stop people who are not allowed to view your personal information from getting access to it.
- Training for our staff allows us to make them aware of how to handle information and how and when to report when something goes wrong.
- Regular testing of our technology and ways of working including keeping up to date on the latest security updates (commonly called patches).

## **Where in the world is your information?**

The majority of personal information is stored on our systems in the UK. But there are some occasions where your information may leave the UK either in order to get to another organisation or if it's stored in a system outside of the EU.

We have additional protections on your information if it leaves the UK ranging from secure ways of transferring data to ensuring we have a robust contract in place with that third party.

We will take all practical steps to make sure your personal information is not sent to a country that is not seen as 'safe' either by the UK or EU Governments.

If we need to send your information to an 'unsafe' location we will always seek advice from the Information Commissioner first.

## **How long do we keep your personal information?**

There's often a legal reason for keeping your personal information for a set period of time, we try to include all of these in our retention schedule.

For each service the schedule lists how long your information may be kept for. This ranges from months for some records to decades for more sensitive records.

PLEASE NOTE THAT OUR RETENTION SCHEDULE IS CURRENTLY UNDER REVIEW AND IS NOT COMPLETE. IF YOU CANNOT FIND THE INFORMATION YOU ARE LOOKING FOR PLEASE CONTACT [clerk\\_montacutepc@hotmail.co.uk](mailto:clerk_montacutepc@hotmail.co.uk)

## **Where can I get advice?**

If you have any worries or questions about how your personal information is handled please contact our Parish Clerk at [clerk\\_montacutepc@hotmail.co.uk](mailto:clerk_montacutepc@hotmail.co.uk) or by calling 01935 822455 and asking for the Parish Clerk.

For independent advice about data protection, privacy and data sharing issues, you can contact the Information Commissioner's Office (ICO) at:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number.

Alternatively, visit [ico.org.uk](http://ico.org.uk) or email [casework@ico.org.uk](mailto:casework@ico.org.uk).