



## SNAITH & COWICK TOWN COUNCIL

### PRIVACY NOTICE

### General Data Protection Act 2018

Version 1.0

May 2018

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## 1.0 Introduction

The Data Protection Act 2018 (DPA18) replaces the Data Protection Act 1998 (following royal assent). It is an Act of Parliament of the United Kingdom which controls how personal data is used and that it is protected. It is an important piece of legislation giving confidence to individuals that their personal data will be treated appropriately and that it will not be misused. Its job is to balance individuals' rights to privacy with legitimate and proportionate use of personal information by organisations.

This update is being driven by a new European Union Regulation, the General Data Protection Regulation (GDPR). Because GDPR is a regulation it is automatically applied in all EU member states from **25 May 2018**.

This Privacy Notice is provided to you by Snaith & Cowick Town Council which is the data controller for your data.

## 2.0 What do we use the information for?

Snaith and Cowick Town Council collects and processes data, including personal data about its residents, to allow it to provide services effectively.

The council takes seriously its responsibilities to ensure that any personal data it collects and processes is done so in accordance with all relevant legislation and guidance.

The council collects and processes personal data to enable it to provide services on behalf of residents of the Parish. These services include the following (this list is not exhaustive):

- youth services
- roads and transport
- waste disposal
- economic development
- countywide planning and the environment
- protecting the public
- environmental health
- tourism
- leisure and amenities
- planning permission
- housing-needs services

You have the right to request that Snaith and Cowick Town Council stop processing your personal data in relation to any council service. However, if this request is approved this may cause delays or prevent us delivering a service to you. You are also legally entitled to request access to any records held by the council about yourself, the council will seek to comply with your request but there may be some situations where it will not be able to do this in full, e.g. where information held was given in confidence.

### **3.0 On what grounds do we use the information?**

#### **3.1 Lawfulness of processing**

3.1.1 Processing shall be lawful only if and to the extent that at least one of the following applies:

- a) the data subject has given consent to the processing of his or her personal data for one or more specific purposes;
- b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- c) processing is necessary for compliance with a legal obligation to which the controller is subject;
- d) processing is necessary in order to protect the vital interests of the data subject or of another natural person;
- e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
- f) processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.

Point (f) of the first subparagraph shall not apply to processing carried out by public authorities in the performance of their tasks.

3.1.2 Member States may maintain or introduce more specific provisions to adapt the application of the rules of this Regulation with regard to processing for compliance with points (c) and (e) of paragraph 3.1.1 by determining more precisely specific requirements for the processing and other measures to ensure lawful and fair processing including for other specific processing situations as provided for in Chapter IX of the GDPR



3.1.3 The basis for the processing referred to in point (c) and (e) of paragraph 3.1.1 shall be laid down by:

- a) Union law; or
- b) Member State law to which the controller is subject.

The purpose of the processing shall be determined in that legal basis or, as regards the processing referred to in point (e) of paragraph 3.1.1, shall be necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. That legal basis may contain specific provisions to adapt the application of rules of this Regulation, inter alia: the general conditions governing the lawfulness of processing by the controller; the types of data which are subject to the processing; the data subjects concerned; the entities to, and the purposes for which, the personal data may be disclosed; the purpose limitation; storage periods; and processing operations and processing procedures, including measures to ensure lawful and fair processing such as those for other specific processing situations as provided for in Chapter IX of the GDPR. The Union or the Member State law shall meet an objective of public interest and be proportionate to the legitimate aim pursued.

3.1.4 Where the processing for a purpose other than that for which the personal data have been collected is not based on the data subject's consent or on a Union or Member State law which constitutes a necessary and proportionate measure in a democratic society to safeguard the objectives referred to in Article 23(1) of the GDPR, the controller shall, in order to ascertain whether processing for another purpose is compatible with the purpose for which the personal data are initially collected, take into account, inter alia:

- a) any link between the purposes for which the personal data have been collected and the purposes of the intended further processing;
- b) the context in which the personal data have been collected, in particular regarding the relationship between data subjects and the controller;
- c) the nature of the personal data, in particular whether special categories of personal data are processed, pursuant to Article 9 of the GDPR, or whether personal data related to criminal convictions and offences are processed, pursuant to Article 10 of the GDPR;
- d) the possible consequences of the intended further processing for data subjects

## **3.2 Processing of special categories of personal data**

3.2.1 Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural

person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited.

3.2.2 Paragraph 3.2.1 shall not apply if one of the following applies:

- a) the data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 3.2.1 may not be lifted by the data subject;
- b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject;
- c) processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent;
- d) processing is carried out in the course of its legitimate activities with appropriate safeguards by a foundation, association or any other not-for-profit body with a political, philosophical, religious or trade union aim and on condition that the processing relates solely to the members or to former members of the body or to persons who have regular contact with it in connection with its purposes and that the personal data are not disclosed outside that body without the consent of the data subjects;
- e) processing relates to personal data which are manifestly made public by the data subject;
- f) processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;
- g) processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject;
- h) processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3.2.3;



- i) processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices, on the basis of Union or Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject, in particular professional secrecy;
- j) processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) of the GDPR based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

3.2.3 Personal data referred to in paragraph 3.2.1 may be processed for the purposes referred to in point (h) of paragraph 3.2.2 when those data are processed by or under the responsibility of a professional subject to the obligation of professional secrecy under Union or Member State law or rules established by national competent bodies or by another person also subject to an obligation of secrecy under Union or Member State law or rules established by national competent bodies.

3.2.4 Member States may maintain or introduce further conditions, including limitations, with regard to the processing of genetic data, biometric data or data concerning health.

## **4.0 How do we collect this information?**

This information will be collected in a variety of ways including, visits to the office, discussions with council staff and councillors, meetings, online correspondence including online forms, social media correspondence, email, applications for work, support or services including planning, over the phone, community events.

## **5.0 Who do we share the information with?**

Parties with whom Snaith and Cowick Town Council regularly share information with include East Riding of Yorkshire Council, Humberside Police, Neighbouring Parish Councils, Local Primary and Secondary Schools, Town Councillors and East Riding Ward Councillors.

Data is shared with these parties to allow Snaith and Cowick Town Council to carry out duties on behalf of its parishioners and provide services effectively.

## 6.0 What rights do you have?

The right to be informed we hold your details

The right to access any information we hold on you as an individual

The right to rectification

The right to erase

The right to restrict processing

The right to data portability

The right to object

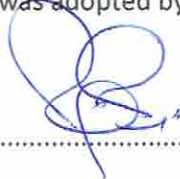
The rights in relation to automated decision making and profiling.

## 7.0 Further information

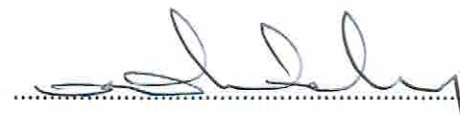
If you want to know more about how the Town Council uses information, your right or have a concern about the way we are collecting or using your data, we request that you raise your concerns with the Town Council in the first instance by contacting [Vicky.snaithcouncil@hotmail.co.uk](mailto:Vicky.snaithcouncil@hotmail.co.uk), Alternatively, you can contact the Information Commissioners Office.

## 8.0 Adoption of Policy

This policy was adopted by Snaith and Cowick Town Council May 2018



..... Signature (Town Mayor)



..... Signature (Town Clerk)