

# Costessey Town Council



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## PRIVACY NOTICE For Councillors, Volunteers and Role Holders

**This Privacy Notice is provided to you by Costessey Town Council which is the Data Controller for your data**

“**Role holders**” means those within the council environment including volunteers, former volunteers and former councillors.

This also includes applicants or candidates for any of these roles.

### **Your personal data**

You may be aware that the Data Protection Laws are changing in May of this year, with the introduction of the new General Data Protection Regulation (GDPR) regarding the processing of personal data. “Personal data” is any information about a living individual which allows them to be identified from that data (eg a name, photograph, video, email address, or address).

### **Costessey Town Council works together with:**

Other data controllers, such as local authorities, public authorities, central government and agencies such as HMRC and DVLA, former and prospective employers, DBS services suppliers, banks, credit reference agencies

**We may need to share personal data we hold with them so that they can carry out their responsibilities to the Town Council and our community.**

**The council will comply with data protection law which says that the personal data we hold about you must be:**

- Used lawfully, fairly and in a transparent way.
- Accurate and kept up to date.
- Collected only for valid purposes and relevant to those purposes
- Kept only as long as necessary for those purposes
- Kept & destroyed securely to protect personal data from loss, misuse, unauthorised access and disclosure.

### **What data do we process?**

- Names, titles, aliases, and photographs.
- Starting date / leaving date
- Contact details eg, addresses, telephone numbers and email addresses.
- Where they are relevant to our legal obligations, or where you provide them to us, we may process information such as gender, age, date of birth, marital status, nationality,

education/work history, academic/professional qualifications, employment details, hobbies, political persuasion, family composition, and dependants.

- Non-financial identifiers such as passport numbers, driving licence numbers, vehicle registration numbers,
- Financial identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers, and claim numbers.
- Financial information such as expenses or allowances claimed.
- Other operational personal data 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.
- Next of kin and emergency contact information
- Location of employment or workplace and business interests.
- Information about your use of our information and communications systems.

**NB: We need all the categories of personal data in the list above primarily to allow us to perform our agreement / contract with you and to enable us to comply with legal obligations.**

**We use your personal data for some or all of the following purposes:**

- Paying you eg mileage expenses
- Administering the agreement / contract we have entered into with you.
- Management and planning, including accounting and auditing.
- Making decisions about expenses, allowances and compensation.
- Conducting reviews and determining Council requirements eg Committee membership.
- Assessing qualifications for a particular task,
- Making decisions about your continued engagement.
- Making arrangements for the termination of our working relationship.
- Education, training and development requirements.
- Dealing with legal disputes involving you, including accidents whilst volunteering.
- Ascertaining your fitness to volunteer / work in a particular role.
- Managing absence.
- Complying with health and safety obligations.
- To prevent fraud.
- To monitor your use of our information and communication systems to ensure compliance with our IT policies.
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution
- To conduct data analytics studies to review volunteer retention
- Equal opportunities monitoring.
- To undertake activities consistent with our statutory functions and powers including any delegated functions.
- To maintain our own accounts and records and fulfil our legal obligations
- To seek your views or comments

- To process applications
- To administer councillors' interests
- To provide references.

Our processing may also include the use of CCTV systems for monitoring purposes. Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal data.

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

**Most commonly, we will use your personal data in the following circumstances:**

- Where we need to fulfil the agreement / contract we have entered into with you.
- Where we need to comply with a legal obligation.

**We may also use your personal data in these situations, which are likely to be rare:**

- Where we need to protect your interests (or someone else's interests).
- Where it is needed in the public interest [or for official purposes].

**How we use sensitive personal data**

We may process sensitive personal data relating to councillors, volunteers and role holders including, as appropriate:

- information about your physical or mental health or condition in order to monitor attendance and take decisions on your fitness for volunteering;
- your racial or ethnic origin or religious or similar information in order to monitor compliance with equal opportunities legislation;
- in order to comply with legal requirements and obligations to third parties.

**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.**

We may process special categories of personal data in the following circumstances:

- In limited circumstances, with your explicit written consent.
- Where we need to carry out our legal obligations.
- Where it is needed in the public interest, such as for equal opportunities monitoring
- Where it is needed to assess your volunteering capacity on health grounds, subject to appropriate confidentiality safeguards.

Less commonly, we may process this type of personal data where it is needed in relation to legal claims or where it is needed 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.

**Do we need your consent to process your sensitive personal data?**

In limited circumstances, we may ask 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.

**You should be aware that it is not a condition of your agreement with us that you agree to any request for consent from us.**

### **Information about criminal convictions**

We 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.

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.

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 acceptance of office and interests processes, or we may be notified of such personal data directly by you in the course of you volunteering for us.

### **What is the legal basis for processing your personal data?**

**Much of our processing is necessary for compliance with a legal obligation.**

We may also process data if it is necessary for an agreement / contract with you. We will also process your data to assist you in fulfilling your role in the Council including administrative support, or if processing is necessary for compliance with a legal obligation.

### **Sharing your personal data**

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:

- Our agents, suppliers and contractors. Eg, we may ask a commercial provider to maintain our database software;
- Other persons or organisations operating within the local community.
- Other data controllers, such as local authorities, public authorities, central government and agencies such as HMRC and DVLA
- Banks
- Former and prospective employers
- DBS services suppliers
- Credit reference agencies
- Professional advisors
- Local Government Monitoring Officers / Standards Officers

### **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 currently 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 and up to 21 years in the case of a child, 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 responsibilities**

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.

### **Your rights in connection with 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.

### **You have the following rights with respect to your personal data:**

#### 1 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.

#### 2. 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.

#### 3. 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).

#### 4. 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.

#### 5. 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.

#### 6. 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 easily by telephone, email, or by post (see Contact Details below).

7. 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. [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 Notice, then we will provide you with 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 your prior consent to the new processing, if we start to use your personal data for a purpose not mentioned in this notice.

**Changes to this notice**

We keep this Privacy Notice under regular review. This Notice was updated in April 2018.

**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, Costessey Town Council, The Costessey Centre, Longwater Lane, Costessey, Norwich, NR8 5AH Tel: 01603 742958 Email: [info@costesseytc.org](mailto:info@costesseytc.org)

You can contact the Information Commissioners Office as follows:

Tel: 0303 123 1113 Email: <https://ico.org.uk/global/contact-us/email/>

Post: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.