

KIRKBY STEPHEN TOWN COUNCIL

Privacy Policy

Contact details & Data Protection Officer

Kirkby Stephen Town Council
Local Links
Vicarage lane
Kirkby Stephen
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Email clerk@kirkby-stephen.com
Web www.kirkby-stephen.com.
The 'Data Protection Officer' for Kirkby
Stephen Town Council is the Town Clerk

Privacy Policy (General)

Kirkby Stephen Town Council will act to protect personal information, maintain privacy and comply with the requirements of the General Data Protection Regulation (GDPR), the Data Protection Act 2018 and other privacy laws. This Privacy Policy shows how the Town Council may use the personal information it holds and what it does to protect it.

Personal information can identify a living individual and may include information such as a name, an email or physical address and information like bank account details. 'Sensitive Personal Data' may include; racial or ethnic origin, political opinions, religious or philosophical beliefs, membership of organisations, health information, gender identity and sexual orientation.

Personal information is processed for specific purposes set out in this policy for the delivery of the functions of a Local Council and for any additional services the Town Council . 'Processing' includes the collection, use, storage, disclosure and deletion/disposal of information.

The Town Council will act to comply with the GDPR data protection principles - these are:

1. Processing will be lawful, fair and transparent.
2. Personal information will be collected for a specified, explicit and legitimate purpose.
3. Personal information will be relevant and limited to the purposes for which it is collected.
4. Personal information will be accurate and up-to-date.
5. Personal information will not be kept for longer than is necessary for the purpose(s) for which it has been collected.
6. Personal information will be kept safe, using appropriate technical or organisational measures.

The Legal Basis for Processing Personal Information

1. **Public Task** - most of the Town Council's processing is for; 'the performance of a task carried out in the public interest or in the exercise of official authority,' otherwise

known as 'public task.' Consent is not required to process or share personal information with our contractors or partners on this basis

2. **Consent** - When an individual's consent to process personal information is needed, such as emailing newsletters to residents and businesses it will be asked for. Consent may also be required when additional information which is not needed to deliver a service is required. For example, to support an application for a small grant made to the Council. The Council may also seek your consent to forward correspondence and materials you have sent it to others if it is not specifically consented in your correspondence to the Council and another lawful basis cannot be identified for doing so. When consent is used as the legal basis for processing information it may be withdrawn at any time.
3. **Legal Obligation & Vital Interest** - The council may process personal data for other reasons, such as for the performance of a contract, to comply with a legal obligation, duty under the law, to report crime or exceptionally in a person's vital interests.

Why the council processes information (legitimate interest)

Personal information is processed to enable the Town Council to function as a local council and to provide services to local people and businesses, which include:

1. Maintaining accounts and records.
2. Managing employees and Councillors affairs.
3. Organising council and parish meetings & subcommittees, including virtual meetings.
4. Promoting services.
5. Managing property.
6. Crime prevention and prosecution of offenders, including the use of CCTV.
7. Corporate administration and all activities carried out as a data controller and public authority.
8. Research.
9. Provision of commercial and non-commercial services.
10. Managing archived records for historical and research reasons
11. Occasionally and exceptionally, personal information may be used for a different purpose, provided that it is in an individual's interests and does not infringe their privacy rights.

Sharing Personal Information

The Town Council will sometimes share personal information with contractors and partners. Personal Information may be shared with other councils and agencies including third sector organisations, the Department for Work and Pensions, the Police and the Fire Service.

The Town Council will only share personal information where it is lawful to do so and where the council is satisfied that contractors and external organisations have adequate measures in place to protect it.

When sharing personal information digitally the Town Council will use encryption and access controls where possible and appropriate. Information Sharing Agreements may be prepared and used to keep personal information secure.

Kirkby Stephen Town Council will not share your personal information for marketing purposes, without your express consent.

Transfer of personal information to a third country

Personal information held digitally and processed by the Council, will normally be stored and processed on computers and backups at our premises and also servers based in the UK. It may sometimes be necessary to transfer personal information overseas including through the use of cloud storage and internet service providers. If needed, Kirkby Stephen Town Council may transfer information to countries or territories around the world. Any transfers made will be in full compliance with the GDPR, Data Protection Act 2018 and other privacy laws.

Retention Schedule

The Town Council will adopt and periodically review a retention schedule alongside this policy.

Individual Rights

A person's rights in relation to their personal information are:

1. The right to be informed - using privacy policies and notices such as this.
2. The right of access - to any personal information the Council holds about an individual. To request a copy of this information, a subject access request (SAR) will be required. Information about how to do this is available on the Information Commissioners website. <https://ico.org.uk/>.
3. The right to rectification - inaccurate or incomplete information must be corrected.
4. The right to have personal information erased and to prevent processing, under certain circumstances.
5. The right to restrict processing - an individual has the right to restrict the Town Council's processing of an individual's personal information if it is believed to be inaccurate, unlawful, or it is the case that the Town Council no longer requires it.

6. The right to 'data portability' - where consent is required to process an individual's information and where that processing is carried out digitally. Data will be provided on request in a structured, commonly used, machine readable form.
7. An individual has a right to object to personal data being used to make decisions about an individual based solely on automated processes (including profiling) for direct marketing or research purposes - (Kirkby Stephen Town Council does not do this).
8. Where consent is required to process personal information, an individual has a right to withdraw their consent at any time.

Website visitors | www.kirkby-stephen.com

When someone visits the Town Council's website, standard internet log information and details of visitor behaviour patterns are collected. This information is collected in a way which does not identify any individuals. No attempt to find out the identities of those visiting the Town Council's website is made.

Cookies and analytics are used to help analyse use of the website without identifying an individual. Cookies are pieces of information generated by a web server and stored as small text files on the user's computer ready for future access.

Complaints

Complaints to the Town Council about the way personal information is processed can be considered under our last adopted Complaints Procedure. To do this you should in the first instance contact the Town Clerk for information. If you are dissatisfied with the way we have handled your complaint, you may contact the Information Commissioner's Office. See the ICO website for details. <https://ico.org.uk/>

For reference, the Town Council's registration with the Information Commissioner is 'Z213410X'

If a complaint is made to the Information Commissioner at the same time as the Town Council is responding to your complaint. The Town Council deal with your complaint only by way of response to the Information Commissioner.

Automated decision making.

Kirkby Stephen Town Council does not use any automated decision making systems.

Review

This Policy will be reviewed every 4 years following adoption (once during the life of the council) or on advice of a significant change to legislation.