

FARLAM PARISH COUNCIL

Policy Documents (Part 2)

1	Website Privacy Policy.....	2 - 4
2	General Data Protection Regulation.....	5 - 6
3	Data Protection Policy.....	7 - 8
4	General Privacy Notice.....	9 - 12
5	Draft Privacy Notice for Staff.....	13 - 18
6	Media and Press Policy.....	19 - 22
7	Retention of Documents Policy	23 - 25

FARLAM PARISH COUNCIL

WEBSITE PRIVACY POLICY

Our website is operated by Farlam Parish Council which is responsible for the processing of your personal data and is the data controller for all such information. We regard your privacy as very important. Any personal information you provide to us through this website will be dealt with in accordance with this Privacy Policy and the Terms of Use. This Privacy Policy describes the information we may collect from you and the purpose for our collection of it.

1. General Data Protection Regulations

As data controller and when handling any personal information we take all necessary steps to comply with the Data Protection Act 1998 (as modified by the General Data Protection Regulations 2016) and relevant subordinate legislation. When you supply any personal information to us we will meet our legal obligations to you in the way that we deal with that information. In accordance with the Data Protection Principles we are required to collect personal information fairly and to let you know how we will use it (see section 2 below) and whether we will pass the information onto anyone else (see section 3 below). We will comply with the Principles by ensuring that:

- all personal information supplied to us is held securely
- information will be held only as long as necessary for our services
- we use up to date industry procedures to keep personal data as safe and secure as possible against loss, unauthorised disclosure or access (see section 5 below).

2. What personal information do we collect and why do we collect it?

We may collect the following types of information:-

- (a) web analytic data;
- (b) cookies;
- (c) contact information and other personal information

When someone visits this website we use a third party service, Google Analytics, to collect standard internet log information and details of visitor behaviour patterns. We do this to find out things such as the number of visitors to the various parts of the site. This information is only processed in a way which does not identify anyone. Similarly, like many sites we reserve the option to collect information about online behaviour using cookies, which contain identification information that enables us to see how users are interacting with the site and how frequently they are returning. The cookies do not contain any information which enable you to be personally identified and are not combined with other information the Council holds to provide personally identifiable information.

If we do want to collect personally identifiable information through our website, we will be up front about this. We will make it clear when we collect personal information and will explain what we intend to do with it. Only the information in (c) is Personal Data which falls within the provisions of the Data Protection legislation. We may come to hold your Personal Data (such as name, e-mail address and other contact information) when you contact us to make comments, submit a problem or request information from us, or register to receive e-news posts from us and provide your name or return contact information.

3. To whom will we supply your personal data?

Data about traffic and usage of the site together with information collected about online behaviour using cookies may be shared with third parties but only in aggregated anonymous form.

We do not disclose personally identifying information except in very specific instances.

It is not our normal policy to release (sell, trade, provide or rent) your information to other parties. If a good reason for changing that policy were to arise it would remain the case we would not release any of your personal data without having first obtained your consent at the point of collection of your personal data. If you do give us that permission we will only share information with organisations we have carefully selected and believe to be reputable. (see also paragraphs 3.1 and 3.2).

Where an individual provides personal information (such as name, e-mail, address and other contact information) to us via our website for whatever purpose (e.g. registration, survey, feedback etc.) that personal information will only be used for the purpose of communicating with you in relation to the matter raised or for any other purpose for which you have given your consent.

The Council will regard it as normal processing to share communications internally between staff and current Council members to ensure that any issue raised is properly dealt with.

Specific personal information may be released where we are required to do so e.g., court order or for any of the Council's statutory purposes.

3.1 Will you use my personal information for direct marketing? Can I prevent this?

Personal data obtained from optional surveys or contests may be used by us for the purpose of making you aware of other services or promotions from the Council, which we think you may be interested in. It is not our normal policy to release such information to other parties for direct marketing. If a good reason for changing that policy were to arise it would only be in a case where the third party had been carefully selected/vetted, and we would not release any of your personal data without having first obtained your consent at the point of collection of your personal data. Such consent may also be withdrawn at any time by sending an e-mail to farlampc@hotmail.co.uk and typing Remove in the subject line. In addition, if we send you a direct marketing communication it will include an option to remove yourself from the mailing list.

3.2 Is my personal information sent abroad?

Countries in the European Economic Area (EEA, which includes the UK at time of writing) are required to have a similar standard of protection of personal data. Lower standards often apply outside that area. The Parish Council does not propose releasing such material outside the EEA. In addition, before releasing any data to a third party under the constraints above, guarantees will be elicited that processing of this personal information will continue to be restricted to the EEA, and we will take all reasonable steps to ensure that data is held with adequate security.

4. Links to other websites

This Privacy Policy only extends to the Farlam Parish Council website and does not, therefore, extend to your use of, provision of data to and collection of data on any other website to which you may link by using the hypertext links within our website.

5. Security

We take care to ensure the security of the Farlam Parish Council website and your personal information. We have put in place appropriate technical and organisational measures to ensure the safety and security of the information we collect on line. Any third party processing such information on the Council's behalf is contractually obliged to put in place similar measures. However, you should consider any communication that you transmit to us (such as data, questions, answers, comments or suggestions) as non-confidential. The Council will not be liable if information that belongs to you is intercepted and used by an unintended recipient.

6. Changes to this Privacy Policy

We may edit or amend this Privacy Policy from time to time. If we make any substantial changes in the way we use your personal information we will notify you by posting a prominent notice on the Home page of the website.

7. Access to personal information and contacting us

Individuals can find out if we hold any personal information by making a 'subject access request' under the General Data Protection Regulations. If we do hold information about you we will:

- give you a description of it;
- tell you why we are holding it;
- tell you who it could be disclosed to; and
- let you have a copy of the information in an intelligible form.

If you wish to find out what information we hold about you please contact us providing your contact details, a brief description of the information you require and enclose proof of your identity. This could be a scanned copy of a household bill, passport or driving licence. You will receive a response to your request within 20 days

If you wish to make such request, or have any questions about this Privacy Policy, please contact us in writing via:

The Parish Clerk, Farlam Parish Council, Unit 2, The Old Brewery, Craw Hall, Brampton, Cumbria CA8 1BJ

Email: farlampc@hotmail.co.uk

If at any time you feel that we have failed to meet these standards then please either contact us or make a complaint direct to the Information Commissioner using their website www.ico.org.uk/concerns

This policy was last updated May 2018

FARLAM PARISH COUNCIL

DATA PROTECTION POLICY

Farlam Parish Council recognises its responsibility to comply with the 2018 General Data Protection Regulation. The General Data Protection Regulation retains the existing legal principles of the 1998 Data Protection Act and adds some additional protections as to how personal data and sensitive personal data can be used.

THE DATA PROTECTION ACT:

The Data Protection Act 1998 set out high standards for the handling of personal information and protecting individuals' rights for privacy. It also regulated how information can be collected, handled and used. The Data Protection Act applies to anyone holding information about people electronically or on paper.

THE GENERAL DATA PROTECTION REGULATION:

The General Data Protection Regulation 2018 says that the information provided to people about how we process their personal data must be concise, transparent, intelligible and easily accessible, written in clear and plain language, particularly if addressed to a child and free of charge.

As a local authority Farlam Parish Council has a number of procedures in place to ensure that it complies with the General Data Protection Regulation 2018 when holding personal information. Farlam Parish Council has appointed **Local Council Public Advisory Service** as the designated Data Protection Officer.

When dealing with personal data, Farlam Parish Council staff and Councillors must ensure that:

- IT IS PROCESSED FAIRLY AND LAWFULLY This means that information should only be collected from individuals if staff and Councillors have been open and honest about why they want the information.

- IT IS PROCESSED FOR SPECIFIED PURPOSES ONLY

- IT IS RELEVANT TO WHAT IT IS NEEDED FOR Data will be monitored so that too much or too little is not kept; only data that is needed should be held.

- IT IS ACCURATE AND KEPT UP TO DATE Personal data should be accurate, if it is not it should be corrected.

- IT IS NOT KEPT LONGER THAN IT IS NEEDED

- IT IS PROCESSED IN ACCORDANCE WITH THE RIGHTS OF INDIVIDUALS This means that individuals must be informed, upon request, of all the information held about them.

- IT IS KEPT SECURELY This means that only staff and Councillors can access the data, it should be stored securely so it cannot be accessed by members of the public.

COLLECTING DATA

Farlam Parish Council recognises its responsibility to be open with people when taking personal details from them. This means that staff must be honest about why they want a particular piece of information. If, for example, a member of the public gives their phone number to staff or a member of Irthington Parish Council, this will only be used for the purpose it has been given and will not be disclosed to anyone else. Data may be collected via the Parish Council's website via the 'Contact Us' form. The contact us webpage contains a privacy statement about how the data will be stored and used.

STORING AND ACCESSING DATA

Farlam Parish Council may hold information about individuals such as their addresses and telephone numbers. These are kept in a secure location at the Parish Clerk's place of work and are not available for the public to access. All data stored on a computer is password protected. Once data is not needed anymore, if it is out of date or has served its use, it will be shredded or deleted from the computer.

The Parish Council is aware that people have the right to access any information that is held about them. If a person requests to see any data that is being held about them,

- They must be sent all of the information that is being held about them
- There must be explanation for why it has been stored
- There must be a list of who has seen it
- It must be sent within one month
- Requests that are manifestly unfounded or excessive may be refused or a charge made
- If a request is refused, a reason must be given.

If an individual requests that their data is rectified or erased, this will be carried out.

DISCLOSURE OF INFORMATION

If an elected member of the council, for example a councillor needs to access information to help carry out their duties, this is acceptable. They are only able to access as much information as necessary and it should only be used for that specific purpose. If for instance someone has made a complaint about over hanging bushes in a garden, a councillor may access an address and telephone number of the person who has made the complaint so they can help with the enquiry. However, before they access any sensitive information about a person, they would need consent to do this from the Parish Clerk. Data should never be used for political reasons unless the data subjects have consented.

CONFIDENTIALITY

Farlam Parish Council staff must be aware that when complaints or queries are made, they must be remain confidential unless the subject gives permission otherwise. When handling personal data, this must also remain confidential.

If a data breach is identified the ICO must be informed within 72 hours and an investigation will be conducted.

This policy will be reviewed annually, as well as an annual review of the compliance and effectiveness of the policy.

This policy was adopted on 16th May 2018

FARLAM PARISH COUNCIL

DATA PROTECTION POLICY

The Data Protection Act

The Data Protection Act 1998 sets out high standards for the handling of personal information and protecting individuals' rights for privacy. It also regulates how personal information can be collected, handled and used. The Data Protection Act applies to anyone holding personal information about people electronically or on paper.

As a local authority Farlam Parish Council has a number of procedures in place to ensure that it complies with The Data Protection Act 1998 when holding personal information. The Parish Council has also notified the Information Commissioner that it holds personal data about individuals. When dealing with personal data, the Farlam Parish Council Clerk and Councillors must ensure that:

Data is processed fairly and lawfully

This means that personal information should only be collected from individuals if staff and Councillors have been open and honest about why they want the personal information.

Data is processed for specified purposes only

Data is relevant to what it is needed for

Data will be monitored so that too much or too little is not kept; only data that is needed should be held.

Data is accurate and kept up to date

Personal data should be accurate, if it is not it should be corrected.

Data is not kept longer than it is needed

Data will not be kept longer than it is needed for its original purpose or anticipated needs

Data is processed in accordance with the rights of individuals

This means that individuals must be informed, upon request, of all the personal information held about them.

Data is kept securely

This means that only staff and Councillors can access the data. It should be stored securely so it cannot be accessed by members of the public.

Storing and accessing data

Farlam Parish Council recognises its responsibility to be open with people when taking personal details from them. This means that councillors and Clerk must be honest about why they want a particular piece of personal information. If, for example, a member of the public gives their phone number to the Clerk or a member of Farlam Parish Council, this will only be used for the purpose it has been given and will not be disclosed to anyone else.

Farlam Parish Council may hold personal information about individuals such as their addresses and telephone numbers. These will be kept in a secure location at the home or office of the Parish Clerk and are not available for public access. All data stored on the computer used by the Clerk is password protected. Once data is not needed anymore, if it is out of date or has served its use, it will be cross-shredded or deleted from the computer.

The Parish Council is aware that people have the right to access any personal information that is held about them. If a person requests to see any data that is being held about them

- They must be sent all of the personal information that is being held about them
- There must be explanation for why it has been stored
- There must be a list of who has seen it
- It must be sent within 40 days

A fee to cover photocopying and postage charges will be charged to the person requesting the personal information. This fee will be agreed by the Council and amended in line with inflation from time to time. Currently this fee must not exceed £10.

Disclosure of personal information

If a Councillor needs to access personal information to help carry out their duties, this is acceptable. They are only able to access as much personal information as necessary and it should only be used for that specific purpose. If, for instance, someone has made a complaint about over hanging bushes in a garden, a Councillor may access an address and telephone number of the person who has made the complaint so they can help with the enquiry. They can only do this providing they represent the area that the subject lives in. However, before they access any sensitive personal information about a person, they would need consent to do this from the Parish Clerk. Data should never be used for political reasons unless the data subjects have consented.

Confidentiality

Farlam Parish Council councillors and staff must be aware that when complaints or queries are made, they must remain confidential unless the subject gives permission otherwise. When handling personal data, this must also remain confidential.

This policy was adopted by Farlam Parish Council on 16th May 2018

FARLAM PARISH COUNCIL

GENERAL PRIVACY NOTICE

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 directly using the data itself or by combining it with other information which helps to identify a living individual (e.g. a list of staff may contain personnel ID numbers rather than names but if you use a separate list of the ID numbers which give the corresponding names to identify the staff in the first list then the first list will also be treated as personal data). 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 legislation relating to personal data and rights such as the Human Rights Act.

Who are we?

This Privacy Notice is provided to you by the Farlam Parish Council which is the data controller for your data.

Other data controllers the council works with:

- Local Authorities - Carlisle City Council, Cumbria County Council
- Community groups
- Charities
- Other not for profit entities
- Contractors

We may need to share your personal data we hold with them so that they can carry out their responsibilities to the council. If we and the other data controllers listed above are processing your data jointly for the same purposes, then the council and the other data controllers may be “joint data controllers” which mean we are all collectively responsible to you for your data. Where each of the parties listed above are processing your data for their own independent purposes then each of us will be independently responsible to you and if you have any questions, wish to exercise any of your rights (see below) or wish to raise a complaint, you should do so directly to the relevant data controller.

A description of what personal data the council processes and for what purposes is set out in this Privacy Notice.

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;
- Where they are relevant to the services provided by a council, or where you provide them to us, we may process information such as gender, age, marital status, nationality, education/work history, academic/professional qualifications, hobbies, family composition, and dependants;
- Where you pay for activities such as use of a council hall, financial identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers, and claim numbers;
- The personal data we process may include sensitive or other special categories of personal data such as criminal convictions, racial or ethnic origin, mental and physical health, details of injuries, medication/treatment received, political beliefs, trade union affiliation, genetic data, biometric data, data concerning and sexual life or orientation.

How we use sensitive personal data

- We may process sensitive personal data including, as appropriate:
 - information about your physical or mental health or condition in order to monitor sick leave and take decisions on your fitness for work;
 - 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.
- 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 approach 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.

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 or using social media (e.g., Facebook, Twitter, WhatsApp);
- To help us to build up a picture of how we are performing;
- 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 carry out comprehensive safeguarding procedures (including due diligence and complaints handling) in accordance with best safeguarding practice from time to time with the aim of ensuring that all children and adults-at-risk are provided with safe environments and generally as necessary to protect individuals from harm or injury;
- 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 other 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
- To allow the statistical analysis of data so we can plan the provision of services.

What is the legal basis for processing your personal data?

The council is a public authority and has certain powers and obligations. 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. Sometimes 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 Notice sets out your rights and the council's obligations to you.

We may process personal data if it is necessary for the performance of a contract with you, or to take steps to enter into a contract. An example of this would be processing your data in connection with the use of sports facilities, or the acceptance of an allotment garden tenancy

Sometimes the use of your personal data requires your consent. We will first obtain your consent to that use.

Sharing your personal data

This section provides information about the third parties with whom the council may share your personal data. These third parties 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):

- The data controllers listed above under the heading "Other data controllers the council works with";
- Our agents, suppliers and contractors. For example, we may ask a commercial provider to publish or distribute newsletters on our behalf, or to maintain our database software;
- On occasion, other local authorities or not for profit bodies with which we are carrying out joint ventures e.g. in relation to facilities or events for the community.

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 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.

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.

Changes to this notice

We keep this Privacy Notice under regular review and we will place any updates on our web page <http://www.farlamparishcouncil.com/page5.html>

This Notice was adopted on 16th May 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, Farlam Parish Council, Unit 2, The Old Brewery, Craw Hall, Brampton, Cumbria CA8 1TR

Email: farlampc@hotmail.co.uk

FARLAM PARISH COUNCIL

PRIVACY NOTICE

For staff*, councillors and Role Holders**

*"Staff" means employees, workers, agency staff and those retained on a temporary or permanent basis

**Includes, volunteers, contractors, agents, and other role holders within the council including former staff* and former councillors. This also includes applicants or candidates for any of these roles.

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, photograph, video, email address, or address). Identification can be directly using the data itself or by combining it with other information which helps to identify a living individual (e.g. a list of staff may contain personnel ID numbers rather than names but if you use a separate list of the ID numbers which give the corresponding names to identify the staff in the first list then the first list will also be treated as personal data). 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 legislation relating to personal data and rights such as the Human Rights Act.

Who are we?

This Privacy Notice is provided to you by Farlam Parish Council which is the data controller for your data.

The council works together with:

- Other data controllers, such as local authorities, public authorities, central government and agencies such as HMRC and DVLA
- Staff pension providers
- Former and prospective employers
- DBS services suppliers
- Payroll services providers
- Recruitment Agencies
- Credit reference agencies

We may need to share personal data we hold with them so that they can carry out their responsibilities to the council and our community. The organisations referred to above will sometimes be "joint data controllers". This means we are all responsible to you for how we process your data where for example two or more data controllers are working together for a joint purpose. If there is no joint purpose or collaboration then the data controllers will be independent and will be individually responsible to you.

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.

What data do we process?

- Names, titles, and aliases, photographs.
- Start date / leaving date
- Contact details such as telephone numbers, addresses, 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, family composition, and dependants.
- Non-financial identifiers such as passport numbers, driving licence numbers, vehicle registration numbers, taxpayer identification numbers, staff identification numbers, tax reference codes, and national insurance numbers.
- Financial identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers, and claim numbers.
- Financial information such as National Insurance number, pay and pay records, tax code, tax and benefits contributions, expenses claimed.
- Other operational personal data created, obtained, or otherwise 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
- Recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process and referral source (e.g. agency, staff referral))
- Location of employment or workplace.
- Other staff data (not covered above) including; level, performance management information, languages and proficiency; licences/certificates, immigration status; employment status; information for disciplinary and grievance proceedings; and personal biographies.
- Information about your use of our information and communications systems.

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

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

- Making a decision about your recruitment or appointment.
- Determining the terms on which you work for us.
- Checking you are legally entitled to work in the UK.
- Paying you and, if you are an employee, deducting tax and National Insurance contributions.
- Providing any contractual benefits to you
- Liaising with your pension provider.
- Administering the contract we have entered into with you.
- Management and planning, including accounting and auditing.
- Conducting performance reviews, managing performance and determining performance requirements.
- Making decisions about salary reviews and compensation.
- Assessing qualifications for a particular job or task, including decisions about promotions.
- Conducting grievance or disciplinary proceedings.
- Making decisions about your continued employment or engagement.
- Making arrangements for the termination of our working relationship.
- Education, training and development requirements.
- Dealing with legal disputes involving you, including accidents at work.
- Ascertaining your fitness to work.
- Managing sickness 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 and better understand employee retention and attrition rates.
- Equal opportunities monitoring.
- To undertake activity consistent with our statutory functions and powers including any delegated functions.
- To maintain our own accounts and records;
- To seek your views or comments;
- To process a job application;
- To administer councillors' interests
- To provide a reference.

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

We may also use your personal data in the following 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 staff, councillors and role holders including, as appropriate:
 - information about your physical or mental health or condition in order to monitor sick leave and take decisions on your fitness for work;
 - 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 or in relation to our pension scheme.
 - Where it is needed to assess your working 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?

- We do not need your consent if we use your sensitive personal data in accordance with our rights and obligations in the field of employment and social security law.
- In limited circumstances, we may approach 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 contract 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

What is the legal basis for processing your personal data?

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

We may also process data if it is necessary for the performance of a contract with you, or to take steps to enter into a contract.

We will also process your data in order 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. For example, we may ask a commercial provider to manage our HR/ payroll functions , or to maintain our database software;
- Other persons or organisations operating within local community.
- Other data controllers, such as local authorities, public authorities, central government and agencies such as HMRC and DVLA
- Staff pension providers
- Former and prospective employers
- DBS services suppliers
- Payroll services providers
- Recruitment Agencies
- Credit reference agencies
- Professional advisors
- Trade unions or employee representatives

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 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

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.

- 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 and we will place any updates on our web page <http://www.farlamparishcouncil.com/page5.html>

This Notice was adopted on 16th May 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, Farlam Parish Council, Unit 2, The Old Brewery, Craw Hall, Brampton, Cumbria CA8 1TR

Email: farlampc@hotmail.co.uk

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.

FARLAM PARISH COUNCIL

MEDIA AND PRESS POLICY

1. GENERAL STATEMENT OF POLICY

This policy is to guide both Councillors and Officers of the Council in their relations with the news media in such a way as to ensure the smooth running of the Council.

This policy does not seek to be comprehensive but sets out to provide guidance on how to deal with some issues that may arise when dealing with news media organisations including press officers attending meetings.

The Council is accountable to the electorate for its actions and shall therefore be proactive in making all reasonable efforts to make its decisions and policies known to the electorate.

2. GENERAL PRINCIPLES FOR OFFICERS AND MEMBERS

- 2.1 Officers and Members should always have due regard for the long term reputation of the Council in all their dealings with the media and should act with integrity at all times when representing or acting on behalf of Farlam Parish Council.
- 2.2 Confidential documents, exempt Minutes, reports, papers and private correspondence should not be leaked to the media. If such leaks do occur, an investigation will take place to establish who was responsible and take appropriate action in accordance with the Standing Orders and Code of Conduct adopted by the Council.
- 2.3 When the media wish to discuss an issue that is, or is likely to be, subject to legal proceedings then advice should be taken from the Council's solicitor before any response is made.
- 2.4 There are a number of personal privacy issues for Officers and Members that must be handled carefully and sensitively in accordance with the Council's policies on Freedom of Information and Data Protection. These issues include the release of personal information, such as home address and telephone number (although Member contact details are in the public domain), disciplinary procedures and long term sickness absences that are affecting service provision. In all these and similar situations, advice must be taken from the Parish Clerk before any response is made to the media.
- 2.5 A Councillor should not raise matters relating to the conduct or capability of an Officer at meetings held in public or before the press.

3. CONTACT WITH THE MEDIA

- 3.1 When responding to approaches from the media, the Chairman of the Council should be the authorised contact with the media in consultation with the Parish Clerk. However, if the subject of an enquiry relates to the work of one of the Council's Committees, the Chairman of the Council may delegate the authorised contact role to the Chairman of that Committee.
- 3.2 Statements made must reflect the Council's opinion.

- 3.3 Unless a Parish Councillor has been authorised by the Council to speak to the media on a particular issue, Parish Councillors who are asked for comment by the press should make it clear that it is a personal view and ask that it be clearly reported as their personal view. Councillors should be aware that case law states that the role of Councillor overrides the rights to act as an individual. This means that Councillors should be careful about expressing individual views to the news media, whether or not they relate to matters of Council business. Councillors also have an obligation to respect Council policy once made, while it may be legitimate for a Councillor to make clear that he or she disagreed with a policy and voted against it (if this took place in an open session), they should not seek to undermine a decision through the news media.
- 3.4 Caution should be exercised when submitting letters to the editor for publication in newspapers. There are occasions when it is appropriate for the Council to submit a letter, for example to explain important policies or to correct factual errors in letters submitted by other correspondents. However, such letters should be kept brief and balanced in tone and correspondence should not be drawn out over several weeks.
- 3.5 Letters representing the views of the Council should only be issued by the Parish Clerk following agreement by the Council or relevant Committee.
- 3.6 At all times consideration should be given as to how the correspondence may affect the reputation of the Council.

4 ATTENDANCE OF MEDIA AT COUNCIL OR COMMITTEE MEETINGS

- 4.1 Agendas and minutes of meetings will be supplied to media outlets together with dates of meetings being available on the Council's website.
- 4.2 The Local Government Act 1972 requires that all agendas, reports and minutes are sent to the media on request, prior to the meeting.
- 4.3 The media are encouraged to attend Council and Committee meetings and seating and workspace will be made available.
- 4.4 Any filming or taping of Council or Committee proceedings by the media must be with prior notice to the Parish Clerk and Chairman of the particular meeting.

5 PRESS RELEASES

- 5.1 The purpose of a press release is to make the media aware of a potential story, to provide important public information or to explain the Council's position on a particular issue. It is the responsibility of all Officers and Members to look for opportunities where the issuing of a press release may be beneficial.
- 5.2 Any Officer or Member may draft a press release, however they must all be issued by the Parish Clerk following agreement by the Council or relevant Committee.

6 ELECTIONS

6.1 The Code of Recommended Practice on Local Authority Publicity contains guidance for providing publicity for Members and for publicity around elections. The code makes it clear that Council resources should not be used on publicising individual Members unless it is relevant to the particular position they hold in the Council. These extracts from the Code illustrate the main points:

- “Publicity about individual councillors may include the contact details, the positions they hold in the council (for example, Chairman of a committee), and their responsibilities. Publicity may also include information about individual councillors’ proposals, decisions and recommendations only where this is relevant to their position and responsibilities within the Council. All such publicity should be objective and explanatory, personalisation of issues or personal images making should be avoided.”
- “Publicity should not be, or liable to misrepresentation as being, party political. Whilst it may be appropriate to describe policies put forward by an individual councillor which are relevant to their position and responsibilities within the council, and to put forward their justification in defence of them, this should not be done in party political terms, using political slogans, expressly advocating policies of those of a particular party or directly attacking policies and opinions of other parties, groups or individuals.”
- “The period between the notice of an election and the election itself should preclude proactive publicity in all its forms of candidates and other politicians involved directly in the election.”

6.2 In line with practice elsewhere in the country, the Council will not quote any Councillor in a news release or involve them in proactive publicity events during the election period, regardless of whether or not they are standing for election. The only exception to this (as laid down in the Code of Recommended Practice on Local Authority Publicity) is during an emergency or where there is a genuine need for a member level response to an important event outside the control of the Council. In this situation, Members holding key civic positions should be able to comment.

7 NOTICES

7.1 The Council website will be used to convey information on matters of interest and latest news and will be updated regularly by the authorised councillor or Parish Clerk.

7.2 The Council notice boards will be used for the advertising of agendas, minutes and other council information. If there is sufficient space, information from other bodies may be posted by an authorised member of the Council.

8. URGENT SITUATIONS

9.1 In the case of an urgent letter or press release being required in advance of a Council or Committee meeting, this may be issued by the Parish Clerk with the agreement of the Chairman of the Council or relevant Committee following circulation of a draft version to other Members for comment.

8.1 In the case of urgent actions being required in the absence of the Members and Officers with specific roles and responsibilities under this policy, the following delegations shall apply:

- a) the Vice Chairman of the Council may act in the absence of the Chairman;
- b) the Vice Chairman of a Committee may act in the absence of the Chairman;
- c) the Parish Clerk may act in the absence of the Vice Chairman of the Council or a Committee.

9. PARISH COUNCIL CORRESPONDENCE

- 9.1 The point of contact for the Parish Council is the Clerk and it is to the Clerk that all correspondence for the Parish Council should be addressed.
- 9.2 The Clerk should deal with all correspondence following a meeting.
- 9.3 No individual Parish Councillor should be the sole custodian of any correspondence or information in the name of the Parish Council (or its committees/sub-committees). In particular Parish Councillors do not have a right to obtain confidential information/documentation unless they can demonstrate a “need to know”
- 9.4 All official correspondence should be sent by the Clerk in the name of the Parish Council, using Council letter-headed paper.
- 9.5 Where correspondence from the Clerk to a Councillor is copied to another person, the addressee should be made aware that a copy is being forwarded to that other person.

10. PARISH COUNCIL CORRESPONDENCE WITH EXTERNAL PARTIES

- 10.1 The Clerk sends out the Council’s correspondence to other bodies and correspondence from individual Parish Councillors should be avoided; however, there may be exceptional situations when it is appropriate for a Parish Councillor to issue correspondence in his/her own name. Such correspondence must be authorised by the Parish Council and the correspondence must make it clear that it has been written in an official capacity and has been authorised.

Approved and Adopted at the Parish Council meeting held on 16th May 2018

FARLAM PARISH COUNCIL

Retention of Documents Policy

The Parish Council recognises that the efficient management of its records is necessary to comply with its legal and regulatory obligations and to contribute to the effective overall management of the Parish Council.

This document provides the policy framework through which this effective management can be achieved and audited. It covers:

Scope Responsibilities Retention Schedule Scope of the policy

This policy applies to all records created, received or maintained by the Parish Council in the course of carrying out its functions. Records are defined as all those documents which facilitate the business carried out by the Parish Council and which are thereafter retained (for a set period) to provide evidence of its transactions or activities. These records may be created, received or maintained in hard copy or electronically.

A small percentage of the Parish Council's records will be selected for permanent preservation as part of the Council's archives and for historical research.

Responsibilities

The Parish Council has a corporate responsibility to maintain its records and record management systems in accordance with the regulatory environment. The person with overall responsibility for the implementation of this policy is the Clerk to the Parish Council, and s/he is required to manage the Council's records in such a way as to promote compliance with this policy so that information will be retrieved easily, appropriately and in a timely manner.

Retention Schedule

Under the Freedom of Information Act 2000, the Parish Council is required to maintain a retention schedule listing the record series which it creates in the course of its business. The retention schedule lays down the length of time which the record needs to be retained and the action which should be taken when it is of no further administrative use.

The Clerk is expected to manage the current record keeping systems using the retention schedule and to take account of the different retention periods when creating new record keeping systems. This retention schedule refers to record series regardless of the media in which they are stored.

Minute books will be kept forever. These are legal documents and must not be destroyed. If the need arises the County Council can archive them.

Title deeds, leases, agreements etc. will be kept whilst the Council owns/occupies property/land. These will be held at the Council offices and/or with the Council's solicitor.

Salaries details will be kept for 12 years where there is superannuation. Inland Revenue and VAT papers will be kept for 8 years. Annual returns and former statements of accounts will be kept indefinitely. Audit papers will be kept for five years. Insurance documents, Certificates of Employers Liability and Public Liability will be kept as required by law.

Documents of historical interest will be retained indefinitely.

Documents relating to controversial issues will be retained indefinitely.

For ease of reference retention periods for material, together with the reason for retention, is set out below.

Retention of Documents

Document	Minimum Retention	Reason
Minute Books	Indefinite	Archive
Annual Accounts	Indefinite	Archive
Annual Return	Indefinite	Archive
Bank statements	8 years	Audit/management
Cheque book stubs	6 years	VAT
Paying in books	6 years	VAT
Quotations	12 years/indefinite	Statute of limitations
Paid invoices	8 years	Audit/VAT
VAT records	8 years	Audit/VAT
Salary records	12 years	Superannuation
Tax & NI records	7 years	Audit
Insurance policies	Whilst valid	Audit
Cert of Employers Liability	7 Years	Audit
Cert of public liability	40 years	Audit/legal
Assets register	Indefinite	Audit
Deeds, leases	Indefinite	Audit
Declarations of acceptance	Term of Office + 1 year	Management
Policies and Procedures	Until Superseded	Management
Members register of interests'	Term of Office + 1 year	Management
Complaints	1 Year	Management
General Information	6 months	Management
Routine Correspondence & Emails	6 months	Management
Personnel Records		
Application Forms	Duration of Employment	Management
References obtained from Third Party	1 year	Management
Sickness Records	3 years	Management
Annual Leave Records	2 years	Management
Unpaid Leave/Special Leave Records	2 years	Management
Annual Appraisal/Assessment Records	5 years	Management
Promotion, Transfer, 'Training & Disciplinary Records	1 year from end of Employment	Management
References given or details retained to enable reference to be provided	5 years from reference or end of employment	Management
Summary or record of service e.g. name position held, dates of employment	10 years from end of employment	Management
Records relating to accident or injury at work	3 years	Management

Planning Applications

All planning applications and relevant decision notices are available from the District Council. There is therefore no requirement to retain duplicates locally. All Parish Council recommendations in connection with these applications are recorded in the Council minutes and are retained indefinitely. Correspondence received in connection with applications will be retained as stated above.

Disposal procedures: all documents that are no longer required for administrative reasons should be burned or cross-shredded (where possible) and disposed of.

This policy was last reviewed on 16th May 2018