



Penrith Town Council

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PRIVACY POLICY

1. Privacy Notice

Penrith Town Council is committed to protecting your personal data and privacy and to complying with all of the requirements of the General Data Protection Regulation (GDPR) and the Data Protection Act 2018. This Policy explains how the Council uses the personal information it holds in order to deliver our services and what we do to protect it.

2. Your Personal Data – What Is It?

- a) "Personal data" is any information that can identify a living individual (for example a name, 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
- b) 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 the Data Protection Act, 2018.
- c) There are special categories of personal data which are also known as sensitive personal data.
- d) These categories include racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic, biometric and health data, sex life and sexual orientation.

3. Other data controllers the Council works with:

- a) The Council works with:
 - Other Local authorities.
 - Community groups.
 - Charities.
 - Not for profit entities.
 - Contractors.

- b) 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.
- c) 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.
- d) If you have any questions of other data controllers, 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.
- e) A description of what personal data the Council processes and for what purposes is set out in this Privacy Policy.

4. The Council will process some or all the following personal data where necessary to perform its tasks:

- i. Names, titles, and aliases, photographs.
- ii. Contact details such as telephone numbers, addresses, and email addresses.
- iii. 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.
- iv. Where you pay for activities such as use of a meeting room, financial identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers, and claim numbers.

5. How we use sensitive personal data

- a) On occasions the personal data we process includes information that is sensitive personal data. We may process sensitive personal data including, as appropriate:
 - i. Information about staff physical or mental health or condition to monitor sick leave and take decisions on a person’s fitness for work.
 - ii. A job applicant’s racial or ethnic origin, sexual orientation, gender or religion to monitor compliance with equal opportunities legislation.
 - iii. To comply with legal requirements and obligations to third parties.
- b) We need to have further justification for collecting, storing and using these types of personal data. We may process special categories of personal data in the following circumstances:
 - i. In limited circumstances, with the individual's explicit written consent.
 - ii. Where we need to carry out our legal obligations.
 - iii. Where it is needed in the public interest.
 - iv. Where it is needed to carry out our public tasks.
- c) We may process this type of personal data where it is needed in relation to legal claims or where it is needed to protect a person’s interests.

6. Do we need your consent to process your sensitive personal data?

- a) In limited circumstances, we may approach you for your written consent to allow us to process certain sensitive personal data.
- b) If we do so, we will provide you with full details of the personal data that we need and the reason we need it, so that you can carefully consider whether you wish to consent.

7. The Council will comply with data protection law. This says that the personal data we hold about you must be:

- a) Processed lawfully, fairly and in a transparent way.
- b) Processed only for a specified, explicit and legitimate purpose and not used in any way that is incompatible with that purpose.
- c) Relevant, adequate and limited to the purposes for which it is processed.
- d) Accurate and kept up to date.
- e) Kept for no longer than is necessary for the purposes for which it is processed.
- f) Kept in a manner that ensures appropriate security of the data and that the data are protected from unauthorised or unlawful processing and accidental loss or damage.

8. We use your personal data for some or all the following purposes:

- a) 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.
- b) To confirm your identity to provide some services.
- c) To contact you by post, email, telephone or using social media (e.g., Facebook, Twitter, WhatsApp).
- d) To undertake research, carry out surveys or awareness campaigns or to help us to build up a picture of how we are performing.
- e) To prevent and detect fraud and corruption in the use of public funds and where necessary for law enforcement functions.
- f) To enable us to meet all legal and statutory obligations and powers.
- g) 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.
- h) To promote the services of the Council.
- i) To maintain our own accounts and records.
- j) To seek your views, opinions or comments.
- k) To notify you of changes to our facilities, services, events and staff, Councillors and other role holders.
- l) 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.
- m) To process relevant financial transactions including grants and payments for goods and services supplied to the Council
- n) To allow the statistical analysis of data so we can plan the provision of services.

9. What is the legal basis for processing your personal data?

- a) There are six lawful bases for processing personal data which are:
 - i. The processing is with the clear consent of an individual for a specific purpose.
 - ii. The processing is necessary to comply with a contract.
 - iii. The processing is necessary to comply with the law.
 - iv. The processing is necessary to protect someone's life.
 - v. The processing is to perform a task in the public interest or to perform official functions.
 - vi. The processing is in the legitimate interests of the processor.
- b) The Council is a local authority and has certain powers, functions and obligations. Most of your personal data is processed by the Council in order for it to perform its public tasks in carrying out its statutory functions and powers.
- c) 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 consider your interests and rights. This Privacy Policy sets out your rights and the Council's obligations to you.
- d) We may process personal data if it is necessary for the performance of a contract with you or another person, or to take steps to enter into a contract.
- e) Sometimes the use of your personal data requires your consent. In this circumstance we will first obtain your consent to that use, and you will have the right to withdraw that consent.

10. Sharing your personal data

- a) We only share personal information when it is lawful and necessary to do so and are satisfied that our contractor or partner has appropriate security measures in place to protect it.
- b) When sharing personal information externally we will aim to use encryption and access controls, information sharing agreements and data protection impact assessments.
- c) These third parties with whom we share information 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 the following but only where this is necessary and appropriate:
 - i. The data controllers listed above under the heading "Other data controllers the Council works with".
 - ii. 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.
 - iii. 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.

11. How long do we keep your personal data?

- a) 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.
- b) We may have legal obligations to retain some data in connection with our statutory obligations as a local authority.
- c) The Council is permitted to retain data to defend or pursue 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.
- d) In general, we will endeavour to keep data only for as long as it is needed after which it will be deleted.

12. Your data protection rights

- a) When exercising any of the rights listed below, to process your request, we may need to verify your identity for your security.
- b) In such cases we will need you to respond with proof of your identity before you can exercise these rights.

13. The right to access personal data we hold on to you

- a) At any point you can contact us to request the personal data we hold on you to obtain this information you will have to make what is known as a subject access request.
- b) Once we have received your request we will respond within one month.
- c) 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.

14. The right to have the personal data we hold on you rectified or corrected

If the data we hold on you is out of date, incomplete or incorrect, you can inform us, and your data must be corrected.

15. The right to have your personal data erased

- a) 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.
- b) 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).

16. The right to object to processing of your personal data or to restrict it to certain purposes only

- a) You have the right to request that we stop processing your personal data or ask us to restrict processing.
- b) 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.

17. The right to data portability

- a) You have the right to request that we transfer some of your data to another controller.
- b) We will comply with your request, where it is feasible to do so, within one month of receiving your request.

18. 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 by telephone, email, or by post at any time

19. The right to lodge a complaint with the Information Commissioner's Office.

You can contact the Information Commissioners Office on:

T: 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

20. Transfer of Data Abroad

- a) Normally, any personal data held and processed by the Council will be stored on servers based in the UK.
- b) If it is necessary to transfer data to other countries this will be undertaken in accordance with the GDPR and the Data Protection Act 2018 and any other relevant privacy law.

21. Further processing

- a) 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 notice explaining this new purpose prior to commencing the processing and setting out the relevant purposes and processing conditions.
- b) Where and whenever necessary, we will seek your prior consent to the new processing.

22. Changes to this notice

This Privacy Notice is reviewed annually.

Please contact us if you have any questions about this Privacy Policy or the personal data, we hold about you or to exercise all relevant rights, queries or complaints.

ADOPTED 2018

Review: Annual

Version Control table

Title	Privacy Policy V1.2018			
Description	Governance Policy – requires annual review			
Created By	Town Clerk			
Date Created	2018			
Maintained By	Town Clerk/ Legal			
Version Number	Modified By	Modifications Made	Date Modified	Status
V2	T/C and L	Accessibility & format	12/03/2026	Live