



# **PRIVACY NOTICE**

## **For Staff\*, Cllrs and For Role Holders\*\***

**Reviewed and adopted on 18<sup>th</sup> July 2023**

\* Staff: employees and agency staff - all retained on permanent or temporary contracts

\*\* Role Holders: includes volunteers, contractors, former staff and former Cllrs. Also includes applicants or candidates for 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 alone or by combining it with other information (e.g name, photograph, video, email address).

The processing of personal data is governed by legislation relating to personal data which includes the General Data Protection Regulation – effective from 25 May 2018.

### **Who are we?**

This Privacy Notice is provided to you by Odiham Parish Council which is the data controller for your data. This means that OPC decides how your data is processed and for what purpose. This Parish Council takes the protection of your data seriously.

### **Principles of GDPR**

Odiham Parish Council will comply with data protection law and as such when handling personal data, we will ensure that:

- It is processed lawfully, fairly and in a transparent way.
- It is only used for the specific purpose of which you are aware and not further processed without your permission
- It is relevant and limited to what is necessary for the specified purpose.
- It is accurate and, where necessary, kept up to date.
- It is only kept for as long as is necessary for that purpose.
- It is kept and subsequently destroyed securely; and measures are in place to protect it from loss, misuse, unauthorised access and disclosure.

### **Personal Data we process**

- Names, titles and aliases, photographs and images;
- Start/leaving dates;
- Contact details such as telephone numbers, addresses and email addresses;
- Where relevant to our legal obligations, data on gender, age, date of birth, marital status, nationality, education/work history, academic/professional qualifications, dependants;
- Non-financial identifiers such as passport numbers, driving licence numbers, taxpayer identification numbers, tax reference codes & NI numbers;
- Financial identifiers such as bank account numbers, payment card numbers;
- Financial information such as National Insurance number, pay and pay records, tax code, tax and benefits contributions and expense claims;
- Other operational personal data created, obtained or otherwise processed in course of normal activities, including IP addresses and website visit histories, logs of visitors, accident records and insurance claims;
- Next of kin and emergency contact information;
- Recruitment information;
- Other staff data including performance management information, information for disciplinary or grievance proceedings, employment status.

### **How we use your personal data?**

The Parish Council processes your data for some or all of the following purposes:

- Making decisions about your appointment;
- Determining the terms of which you work for us;
- Checking your legality to work in the UK;
- Paying you and if you are an employee, deducting tax, NI and pension contributions;
- Providing any contractual benefits to you;
- Administering the contract that we have entered into with you;
- Managing and planning, including accounting and auditing;
- Conducting performance reviews and managing performance;
- Making decisions about salary reviews and compensation;
- Assessing qualifications for a particular job or task;
- Conducting grievance or disciplinary proceedings;

- Making decisions about your continued employment;
- 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 ensure network and information security;
- To undertake activity consistent with our statutory functions and powers including any delegated functions;
- To maintain our own records and accounts;
- To seek your views or comments;
- To administer Cllr's interests;
- To process a job application;
- To provide a reference;

Some of the above grounds 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 a contract that we have entered into with you;
- Where we need to comply with a legal obligation.

#### **How we process sensitive personal data**

- We may process sensitive personal data relating to staff, Cllrs or role holders including as appropriate:
  - Information about your physical or mental health or condition in order to monitor sick leave or take decisions about fitness to 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 data;
- We may process special categories of personal data in the following circumstances:
  - With your explicit written consent;
  - Where we need to fulfil our legal obligations;
  - Where it is needed in the public interest, such as equal opportunities monitoring;
  - 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 data where it is needed in relation to legal claims or to protect your interests (or someone else's) and you are not capable of giving your consent, or where you have already made the information public.

Please note: it is not a condition of your contract with us that you agree to any request for consent from us to process your personal data.

#### **Information about criminal convictions**

- We may only use personal data relating to criminal convictions where the law allows.
- We may use personal data relating to criminal convictions where it is necessary in relation to legal claims, to protect your interests or someone else's and you are not capable of giving your consent or 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. Typically, and where appropriate we will collect this personal data as part of the recruitment process.

#### **The Legal Basis for processing your personal data**

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

- We may also process personal 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 for compliance with a legal obligation.

### **Sharing your personal data**

Your personal data will be treated as strictly confidential. We will only share your data with third parties where it is necessary for the performance of the data controllers' task or where you first give us consent. It is likely that we will share your data with the following data controllers:

- Our agents, suppliers and contractors. Eg, for outsourced HR functions or managing our IT systems and software;
- Other local authorities – mainly Hart District Council and Hampshire County Council;
- HMRC;
- Staff pension providers – Hampshire Pension Fund;
- Former and prospective employers;
- DBS service suppliers;
- Recruitment agencies;
- Professional advisers;
- Trade unions or employee representatives;

### **How long do we keep your personal data?**

We will only retain personal data for as long as is deemed necessary. We are legally obliged to keep some records permanently and financial records for 7 years for tax purposes.

Details of our data retention periods can be found in our Document Retention Policy and our Data Protection Policy.

When personal data is no longer needed it will be destroyed or deleted in a secure manner.

### **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 and your personal data**

Under GDPR you have the following rights with respect to your personal data:

Please note: when exercising any of the rights listed below, we may require you to verify your identity for security purposes. In such cases we will need you to prove 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 a copy of the personal data Odiham Parish Council holds on you. Once we have received your request we will respond within one month.
- There are no fees or charges for the request although unfounded or excessive requests 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 it, 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 give a reason why it cannot be destroyed.

#### **4. The right to object to processing of your personal data or to restrict its use**

- You have the right to request that we stop processing your personal data or ask us to restrict processing.
- Upon receipt of your request we will confirm whether 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 within one month, where it is feasible to do so.

#### **6. The right to withdraw your consent at any time to the processing of your data**

- You can withdraw the consent you previously gave us by contacting the office by telephone, email or by post (contact details below).
- 7. The right to lodge a complaint with the Information Commissioner's Office**
- You can contact the Information Commissioner's Office on 0303 123 1113 or via its website email service <https://ico.org.uk/global/contact-us/email/> or by post to Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

### **Transfer of Data Abroad**

All personal data will be placed on systems within the UK or European Economic Area. However, it should be noted that our website is accessible from overseas, so some personal data may be accessed abroad.

### **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 separate notice explaining this new use prior to commencing the processing. Where and whenever necessary, we will seek your prior consent to the new processing.

### **Contact Details**

To exercise all relevant rights or if you have any questions about this Privacy Notice, please contact:

The Parish Clerk

Odiham Parish Council

The Bridewell

The Bury

Odiham

RG29 1NB

Email: [clerk@odihamparishcouncil.gov.uk](mailto:clerk@odihamparishcouncil.gov.uk)

### **Changes to this notice**

We keep this Privacy Notice under regular review and will place any updates on this web page.

Last update July 2023.