



# Seaton Town Council Constitution

## Chapter 9 Data Protection Policy

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# **SEATON TOWN COUNCIL**

## **Data Protection Policy**

### **1. 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 by the personal data alone or in conjunction with any other 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 local legislation relating to personal data and rights such as the Human Rights Act.

### **2. Council information**

This policy is produced by Seaton Town Council (‘the Council’) which is the data controller for your data.

### **3. Who are the data controllers?**

Seaton Town Council, Marshlands Centre, Harbour Road, Seaton EX12 2LT  
[www.seatontown.gov.uk](http://www.seatontown.gov.uk)

### **4. What personal data is collected?**

- 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 the Council, it may process demographic information such as gender, age, marital status, nationality, education/work histories, academic/professional qualifications, hobbies, family composition, and dependants
- Where you pay for activities such as use of a council facility, facility identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers, and claim numbers

### **5. The Council will comply with data protection law. This says that the personal data held about you must be:**

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that the Council has clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes the Council has told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes the Council has 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.

## **6. 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 the Council 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 the Council's 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 role holders;
- To send you communications which you have requested and that may be of interest to you. These may include information about event, 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 the Council can plan the provision of services.

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

The Council is a public authority and has certain powers and duties. 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. The Council will always take into account your interests and rights. This policy sets out your rights and the Council's obligations to you in detail.

The Council 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. An example of this would be processing your data in connection with the use of our facilities, cemetery, or the acceptance of an allotment tenancy.

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

## **8. Sharing your personal data**

The Council will implement appropriate security measures to protect your personal data. This section of the policy provides information about the third parties with whom the council will share your personal data. These third parties also 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 the Council will need to share your data with some or all of the following (but only where necessary):

- The Council's agents, suppliers and contractors. For example, the Council 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.

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

The Council will keep some records permanently if legally required to do so e.g. cemetery records. The Council may keep some other records for an extended period of time. For example, it is current best practice to keep financial records for a minimum period of 8 years to support HMRC audits or provide tax information. The Council 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). The Council will retain some personal data for this purpose as long as the Council believes it is necessary to be able to defend or pursue a claim. In general, the Council will endeavour to keep data only for as long as needed. This means that the Council will delete it when it is no longer needed.

## **10. 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, the Council may need to verify your identity for your security. In such cases the Council will need you to respond with proof of your identity before you can exercise these rights.

- (i) The right to access personal data the Council holds on you
- (ii) The right to correct and update the personal data the Council holds on you
- (iii) The right to have your personal data erased
- (iv) The right to object to processing of your personal data or to restrict it to certain purposes only
- (v) The right to data portability
- (vi) The right to withdraw your consent to the processing at any time for any processing of data to which consent was obtained
- (vii) 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.

### **11.Transfer of Data Abroad**

The Council's website and social media are also accessible from overseas so on occasion some personal data (for example in a news item or social media post) may be accessed from overseas.

### **12.Further processing**

If the Council wishes to use your personal data for a new purpose, not covered by this policy, then the Council will provide you with a privacy notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, the Council will seek your prior consent to the new processing.

### **13.Changes to this policy**

The Council will keep this policy under regular review and place any updates on [www.seaton.gov.uk](http://www.seaton.gov.uk).

Reviewed: 3 May 2022