



## **Brixton Parish Council**

### **General Data Protection Policy Statement**

Brixton Parish Council is registered as a Data Controller, with the Information Commissioners Office (ICO), under the General Data Protection Regulation because it may collect and process personal information. This applies to Council staff, Councillors, suppliers, service users and members of the public.

Any information is held in order that a public service can be provided. This policy explains how the information is used and shared. Information may be collected in paper or electronic format, by telephone, email, by a member of staff, a Councillor or by a volunteer.

#### **Why information is collected?**

In order to:

- deliver public services
- confirm a person's identity to provide some services
- make contact by post, email or telephone –
- understand individuals needs to provide public services
- understand what the Parish Council can do and inform individuals of other relevant services and benefits
- update records
- to build up a picture of how the Council is performing at delivering services process financial transactions
- prevent and detect fraud and corruption in the use of public funds
- obtain the public's opinion through consultation
- allow statutory functions to be undertaken efficiently and effectively
- to ensure that statutory obligations are met including, for example, those related to diversity and equality

To provide individuals with a service, information is required and their permission that the Council can use that information is also required.

#### **How the Council uses information?**

To provide individuals with information in a manner that conforms to the General Data Protection Regulation - information will be kept up to date and will not be kept for longer than necessary. In some instances, the law sets the length of time certain information has to be kept.

Information will be used for the following purposes:

- for the services requested, and to monitor and improve the Councils
- to allow the Council to be able to communicate and provide services and benefits appropriate to individuals' needs
- to ensure that the Council meets legal obligations
- where necessary for the law enforcement functions
- to prevent and detect fraud or crime
- to process financial transactions including grants, payments and benefits involving the council, or where we are acting on behalf of other government bodies, e.g. Department for Work and Pensions, HMRC
- to collect monies owed to the Council
- to pay staff and suppliers
- where necessary to protect individuals from harm or injury
- to allow the statistical analysis of data to plan for provision of services

Personal data will not be passed onto third parties other than those who either process information on the Councils' behalf or because of a legal requirement. Sufficient steps will be taken to protect personal data should the above circumstances arise.

Personal information will not be disclosed, if provided in confidence, unless the individual's permission has been gained. Exceptions to this is in the few situations where disclosure is required, by law, or where there is good reason to believe that failing to share the information would put someone else at risk. Individuals will be informed should this be the case.

### **Information sharing**

Information may need to be passed to other people and organisations that provide services on the Councils' behalf. These providers are obliged to keep persons' details securely and use them only to fulfil the individual's request. If this applies to sensitive or confidential information consent would first need to be obtained unless the Council is legally required to release the information.

The Council may disclose information to other partners where it is necessary, to comply with a legal obligation or where permitted under the General Data Protection Regulation, e.g. where the disclosure is necessary for the purposes of the prevention and/or detection of crime.

Where there is a need to disclose sensitive or confidential information, such as medical details to other partners, the Council will do so only with your prior consent or where there is a legal requirement to do so.

Information may be disclosed to prevent risk of harm to an individual.

At no time will personal information be passed to organisations external to the Council and its partners, for marketing or sales purposes, or for any commercial use without the individuals prior express consent.

### **Improving customer records**

The Council is working towards making its record keeping more efficient. Basic records will comprise the individuals name, address, contact details (telephone/email) and, in some cases, a brief summary of the contact with the council and a record of the services used. Information will be regularly review for accuracy and to ensure that it is still required.

### **Detect and prevent fraud or crime**

Brixton Parish Council is required, by law, to protect the public funds it administers. It might use any of the information provided by individuals for the prevention and detection of fraud. It might also share this information with other bodies responsible for auditing and administering public funds or when undertaking a public function in order to prevent and detect fraud. This includes the Cabinet Office, the Department for Work and Pensions, other Local Authorities, HM Revenue and Customs and the Police.

Section 68 of the Serious Crime Act 2007 enables public authorities to disclose information for the purposes of preventing fraud as a member of a specified anti-fraud organisation or, otherwise, in accordance with any arrangements made with such an organisation.

### **Emergency Response Management**

Data matching might be used to assist the council in responding to emergencies, or major accidents, by allowing the council, in conjunction with the emergency services, to identify individuals who might need additional support in the event of e.g. an emergency evacuation.

### **Telephone calls**

Brixton Parish Council does not record telephone conversations. However, if individuals call the Parish Clerk or a Councillor at a time when they are unable to answer the phone, you might be given the opportunity to leave a message. Callers are advised not to leave any sensitive information on such occasions but to leave only sufficient information so as to be contacted at a later time.

### **Emails**

If parishioners email the Council, including contacts through the website, a record might be kept of their contact including the email address and the content of the message. For security reasons confidential information about an individual will not be used in any email the Council sends unless consent has actively been given for this.

It is suggested that the amount of confidential information sent in emails is kept to a minimum and use secure online forms and services when available.

## **Using the Councils website and app**

Brixton Parish Council website does not store or capture personal information.

The system will record personal information if the individual:

- subscribes to or applies for services that require personal information
- reports a fault and gives contact details for the Council to respond
- contacts the Council and leaves personal details for the Parish Council to respond

A more comprehensive website privacy statement can be found on Brixton Parish Councils website.

## **How the Council protects personal information**

The aim is not to be intrusive and no irrelevant, or unnecessary, questions will be asked. The information provided will be subject to rigorous measures and procedures to make sure it can't be seen, accessed, or disclosed to anyone who shouldn't see it.

The Councils Data Protection Policy and Privacy Statements define commitments and responsibilities to the individual's privacy and covers a range of information and technology security areas. The Council provides training to Councillors, staff, and volunteers who handle personal information and will take disciplinary measures if personal information is not held correctly.

The Council will not keep personal information for longer than it is needed or beyond a date where the law states how long it should be kept. Paper and electronic records will be disposed of, or deleted, when no longer required.

## **The individuals right's**

Individuals have the right to request that Brixton Parish Council stop processing their personal data in relation to any Council service. However, this may cause delays or prevent delivery of a service. Where possible the Council will seek to comply with such requests but may be required to hold or process information to comply with a legal requirement.

The Council will aim to ensure that any information held about an individual is correct. There may be situations where the information held is no longer accurate and the individual then has the right to have this corrected by contacting the Parish Clerk .

Individuals are legally entitled to request access to any information that is held about them. In some circumstances a small fee might be payable.

## **Further information**

The council will provide further information about what is shared with other organisations on data collection forms and Privacy Notices.

**Changes to this privacy notice**

The Council will continually review and update the contents to this Privacy Notice to reflect changes in services, and feedback from service users, as well as to comply with changes in the law. When such changes occur the date at the bottom of this policy will be amended.

*Policy updated post GDPR*

Adopted by Brixton Parish Council    Wednesday 28<sup>th</sup> November 2018

Policy reviewed by Brixton Parish Council    27<sup>th</sup> November 2019

Kirstie Aldridge

Clerk to Brixton Parish Council