



Feering Parish Council

Data Protection and Privacy Policy

Version No	Date	Author	Review due	Notes
1	15/02/2022	LMC	15/02/2023	Adopted at Full Council on 15 February 2022
2	15/04/2025	LMC	15/04/2027	Reviewed and amended 15 April 2025 to include subject access request procedure and security incident issues and cybersecurity sections



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Data Protection and Privacy 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 directly using the personal data itself or by combining it with other information which helps to identify a living individual. 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 Privacy Policy is provided to you by Feering Parish Council, which is the data controller for your data.

The Council’s address is:

Feering Community Centre
Coggeshall Road
Feering
Essex
CO5 9QB

We will always respect the privacy of individuals who browse our website and leave contact details with us. Please read our privacy policy carefully as it contains important information about what to expect when we collect personal information about you and how we will use (process) that data.

Feering Parish does not track your activity as an individual.

3. 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 us, we 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 facilities, financial identifiers such as bank account numbers, payment card numbers, payment / transaction identifiers, policy numbers and claim numbers;
- The data we process may include sensitive personal data or other special categories of data such as 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 sexual orientation.
- Nature of any outbound communications with website users:
 - Email
 - Telephone (voice)



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- Telephone (text)

- Information will be checked on a regular basis so that the Council can be shown to have used its best endeavours to keep such information up to date.

4. 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.

5. 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 (eg Facebook, Instagram, WhatsApp, X formerly Twitter);
- To help us to build 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 the 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 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;



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- 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;
- Our processing may also include the use of CCTV systems for the prevention and prosecution of crime, details of which are in our CCTV Policy.

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

The Council, as a public authority, has always required a legal basis to processing personal data and has certain powers and duties. The General Data Protection Regulations include five lawful bases for local councils. It is possible for more than one to apply at the same time. The five bases are:

- Compliance with legal obligation: 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. Sometime 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 Policy sets out your rights and the council's obligations to you in detail.
- Contractual necessity: 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.
- Consent: Sometimes the use of your personal data requires your consent. On these occasions we will first obtain your consent to that use.
- Vital interests: It is possible to process personal information to protect an individual without their consent eg in a life or death situation where emergency contact information is needed
- Public Interest: When the Parish Council is acting in the public interest, personal data may be processed if it is necessary to undertake the tasks.

Sometime 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 Policy sets out your rights and the council's obligations to you in detail.

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. 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.

7. Sharing your personal data

The council will implement appropriate security measures to protect your personal data. This section of the Privacy 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 we will need to share your data with some or all of the following (but only where necessary):

- 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;



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- On occasion, other local authorities or not for profit bodies with which we are carrying out joint ventures, eg in relation to facilities or events for the community.

We may need to share your personal data we hold with them so that they can carry out their responsibilities to Feering Parish Council. If we work together for a joint purpose that involves your personal data we are joint data controllers. This means those involved are all responsible to you for how we process your data. If there is no joint purpose, then each data controller is independent and is individually responsible to you

8. Privacy in relation to the website

www.feeringparishcouncil.gov.uk

The Council may use cookies on its website. A cookie is a small file which asks permission to be placed on your computer's hard drive. Once you agree, the file is added and the cookie helps analyse web traffic or lets you know when you visit a particular site. Cookies allow web applications to respond to you as an individual.

The web application can tailor its operations to your needs, likes and dislikes by gathering and remembering information about your preferences.

We use traffic log cookies to identify which pages are being used. This helps us analyse data about web page traffic and improve our website in order to tailor it to user needs. The Council will only use this information for statistical analysis purposes and then the data is removed from the system.

Overall, cookies help us provide you with a better website, by enabling us to monitor which pages you find useful and which you do not. A cookie in no way gives us access to your computer or any information about you, other than the data you choose to share with us.

You can choose to accept or decline cookies. Most web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer. This may prevent you from taking full advantage of the website.

Our website is powered by Lodge Information Services. Cookies are used only to ensure that it runs properly. They are not used for tracking purposes, just to hold site information for the duration of your browsing session. We use Google Analytics to provide statistics on website traffic – see below for the Google explanation.

We do not use 3rd Party / Tracking / Advertising cookies. If you would like to know more the organisation AboutCookies.org provides further information, including how to delete cookies in your browser.

Google Analytics

Our website uses Google Analytics, a web analytics service provided by Google, Inc. ("Google"). Google Analytics uses "cookies", which are text files placed on your computer, to help the website analyse how users use the site. The information generated by the cookie about your use of the website (including your IP address) will be transmitted to and stored by Google on servers in the United States. Google will use this information for the purpose of evaluating your use of the website, compiling reports on website activity for website operators and providing other services relating to



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website activity and internet usage. Google may also transfer this information to third parties where required to do so by law, or where such third parties process the information on Google's behalf. Google will not associate your IP address with any other data held by Google. You may refuse the use of cookies by selecting the appropriate settings on your browser, however please note that if you do this you may not be able to use the full functionality of this website. By using this website, you consent to the processing of data about you by Google in the manner and for the purposes set out above.

Links to other websites

Our website contains links to other websites. This privacy policy only applies to our website so when you link to other websites you should read their own privacy policies. The Council has no control and cannot accept responsibility for the protection and privacy of any information and this policy or any privacy notices of this Council does not apply to other websites and you should refer to the specific privacy statement of that site. Please address any queries concerning this privacy policy, our website or any other general query to us.

9. 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 current 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.

10. Your rights and your personal data

You have the following rights with respect to your personal data:

- The right to be informed eg through this policy
- The right to access personal data we hold on you. At any time you can request the data we hold on you as well as why we have it, who has access to it and where it was obtained from.
- We will respond to requests within one month of receiving them. There is no charge for the first request.
- 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 we will update it
- The right to have your personal data erased if you feel we should no longer be using it or are using it unlawfully. When we receive your request, we will then either confirm that it has been deleted or explain why it cannot be deleted, eg because we need it to comply with a legal obligation.
- The right to object to processing of your personal data or to restrict it to certain purposes only. You can request us to stop processing your data or ask us to restrict what we do with it. When we receive your request, we will let you know if we are able to comply or if we have a legal obligation to continue.



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- The right to data portability – You can request that we transfer data to another controller. Where this is feasible, we will do this within one month of receiving your request.
- The right to withdraw your consent to the processing at any time for any processing of data to which consent was obtained. Please use the contact details below to do this.
- 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 email <https://ico.org.uk/make-a-complaint> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

When exercising any of the rights listed above, 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.

11. Transfer of data abroad

Any personal data transferred to countries or territories outside the United Kingdom or 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 United Kingdom or 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.

12. Further processing

If we wish to use your personal data for a new purpose, not covered by this Privacy Policy, then we 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, we will seek your prior consent to the new processing.

13. Changes to this policy

We keep this Privacy Policy under regular review and we will place any updates on the Council's website.

14. Contact Details

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 at:

The Parish Clerk (Data Controller,)
Feering Parish Council
Feering Community Centre
Coggeshall Road
Feering
Essex CO5 9QB

Email:- clerk@feeringparishcouncil.gov.uk



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Subject Access Request Procedure

If you wish to submit a subject access request to Feering Parish Council you must follow the following procedure –

1. You must submit your request in writing (which includes via email.)
2. Your request must be sufficiently well defined and relate to your own personal data to enable the Council to respond.
3. To enable the Council to be satisfied in relation to your identity you must provide one of the following forms of identification –
 - a. Current UK/EEA Passport
 - b. UK Photocard Driving Licence (Full or Provisional)
 - c. EEA National Identity Card
 - d. Full UK Paper Driving Licence
 - e. HMRC Tax Credit Document
 - f. Local Authority Benefit Document
 - g. HMRC Tax Notification Document
 - h. Disabled Driver's Pass
 - i. Utility bill for supply of gas, electric, water or telephone landline dated within the last 6 months.
 - j. Most recent council Tax Bill/Demand or Statement
 - k. Building Society Passbook which shows a transaction in the last 3 months and your address
4. In response the Council will respond in the following manner
 - a. The subject access request will immediately be notified to the Clerk and the Council Chair and to the Data Protection Officer in the case where the Council has appointed a Data Protection Officer.
 - b. The Council must identify whether a valid request has been made under the Data Protection legislation
 - c. A member of staff, and as appropriate, councillor, must make a full exhaustive search of the records and databases to which they have access.
 - d. All the personal data that has been requested must be provided unless an exemption can be applied.



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- e. The Council must respond within one calendar month after accepting the request as valid.
 - f. The Subject Access Requests must be undertaken free of charge to the requestor unless the legislation permits reasonable fees to be charged.
 - g. If need be information may be redacted so as not to identify other individuals. Also an explanation of information may be supplied.
5. All response letters will include the following information –
- a. the purposes of the processing;
 - b. the categories of personal data concerned;
 - c. the recipients or categories of recipients to whom personal data has been or will be disclosed, in particular in third countries or international organisations,
 - d. where possible, the envisaged period for which personal data will be stored, or, if not possible, the criteria used to determine that period;
 - e. the existence of the right to request rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing;
 - f. the right to lodge a complaint with the Information Commissioners Office ("ICO");
 - g. if the data has not been collected from the data subject: the source of such data;
- The existence of any automated decision-making, including profiling and any meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.
6. Where a requestor is not satisfied with a response the Council will deal with this as a complaint and when responding to a complaint, we must advise the requestor that they may complain to the Information Commissioners Office ("ICO") if they remain unhappy with the outcome.
7. It will be confirmed that copyright in the personal data provided belongs to the council or to another party. Copyright material must not be copied, distributed, modified, reproduced, transmitted, published, or otherwise made available in whole or in part without the prior written consent of the copyright holder.



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Security Incident Issues and Cybersecurity

A personal data breach means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data. This includes breaches that are the result of both accidental and deliberate causes. It also means that a breach is more than just about losing personal data and can include

1. access by an unauthorised third party;
2. deliberate or accidental action (or inaction) by a controller or processor;
3. sending personal data to an incorrect recipient;
4. computing devices containing personal data being lost or stolen;
5. alteration of personal data without permission; and
6. loss of availability of personal data.

In order to prevent such a situation arising the Council is developing a Document Management Policy and in addition an Information Security Protocol to ensure that there are adequate security measures for both hard copy documents and also information stored digitally.

In the event of a personal data breach occurring the Council will adhere to the following procedure –

1. In view of the swift reporting requirements the breach will be reported to the Clerk and the Council Chair forthwith. In the absence of the Council Chair it will be reported to the Vice Chair. If the Council has appointed a data protection officer it will also be reported to that person.
2. An assessment will be carried out immediately by the Council Chair (or in their absence the Vice Chair) and one other Councillor as to the impact of the data breach. The Clerk shall provide such information and assistance as they may require to reach a decision. The assessment will need to establish the likelihood and severity of the resulting risk to people's rights and freedoms. If it's likely that there will be a risk then the incident must be notified to the Information Commissioner's Office.
3. Reportable incidents will be reported to the Information Commissioner's Officer within 72 hours of the breach occurring. Even if full details of the breach are not available the breach will be reported in that timescale and the result of subsequent investigations will be advised as soon as the information is known.
4. Any individuals effected by the breach which is reportable to the Information Commissioner's Officer will be notified without undue delay. They will be specifically advised of the following information –
 - a. the name and contact details of your data protection officer or other contact point where more information can be obtained;
 - b. a description of the likely consequences of the personal data breach; and



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- c. a description of the measures taken, or proposed to be taken, to deal with the personal data breach and including, where appropriate, of the measures taken to mitigate any possible adverse effects.
5. In the event that it is deemed that a breach does not need to be reported to the Information Commissioner's Office, then this will be recorded in writing together with a justification of that decision.
6. The breach and the outcome of whether to report it to the Information Commissioner's Officer will be reported at the next Council meeting.