

FRINTON AND WALTON TOWN COUNCIL
GENERAL DATA PRIVACY REGULATION –
GDPR POLICY



1. Your personal data

“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 Privacy Policy is provided to you by FRINTON AND WALTON TOWN COUNCIL which is the data controller for your data.

Council address: FRINTON AND WALTON TOWN COUNCIL, The Council House, Triangle Shopping Centre, Frinton-on-Sea, Essex, CO13 0AU.

2A. Data Protection Officer

Frinton and Walton Town Council has appointed the Town Clerk as the Data Protection Officer (DPO)

The DPO is responsible for overseeing compliance with data protection legislation and for advising the Council on its data protection obligations.

You can contact the Data Protection Officer at:

Email: clerk@fwtc.co.uk

**Postal address: Frinton & Walton Town Council, The Triangle, Rochford Way,
Walton On The Naze, Frinton On Sea, Essex, CO13 0AU**

If you do not wish to contact the DPO directly, you may also contact the Council using the contact details set out at the end of this policy.

3. Joint data controllers

- The Council works together with other data controllers:
- Local Authorities
- Community groups
- Charities
- Other not for profit entities
- Contractors
- Suppliers

- External agencies
- Credit reference agencies

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. 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 and if you have any questions, 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.

Where the Council jointly determines the purposes and means of processing personal data with another organisation, the Council and that organisation act as joint data controllers.

In such cases, the Council will have an arrangement in place which sets out our respective responsibilities for compliance with data protection legislation.

You may request further information about the essence of any joint controller arrangement by contacting the Council using the contact details set out in this policy.

4. Personal data collected

The following personal data is collected or may be collected in future:

- 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 activities such as use of a council hall, 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
- Website data
- Information collected automatically from use of the service
- Information from other sources.

Requirement to provide personal data

In some circumstances you are required to provide personal data to the Council in order for us to deliver services to you or to comply with our legal obligations.

If you do not provide the personal data that is required, the Council may be unable to provide the relevant service, enter into a contract with you, or meet its statutory duties.

Where the provision of personal data is optional, this will be made clear at the point of collection.

5.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.

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 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 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
- 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. We have a separate CCTV Policy for this purpose.

Children's personal data

The Council processes personal data relating to children and young people where this is necessary for the delivery of services, community activities and safeguarding functions. Where children's personal data is processed, the Council applies additional care and safeguards to ensure that the data is handled fairly, securely and in accordance with its statutory safeguarding duties and data protection legislation.

7. 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. We

will always consider 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 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.

Lawful bases for processing

We process your personal data under the following lawful bases, depending on the purpose for which the data is used:

- processing to deliver council services and to carry out our statutory functions is carried out because it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Council;
- processing in connection with the hiring of facilities, allotments, leases, licences, employment and other agreements is carried out because it is necessary for the performance of a contract or in order to take steps prior to entering into a contract;
- processing to comply with legal and regulatory requirements is carried out because it is necessary for compliance with a legal obligation; and
- where we ask for your consent (for example for certain communications or promotional activities), processing is carried out on the basis of your consent.

Special category personal data

Where we process special category personal data (such as information about health, ethnicity, political opinions, trade union membership or other sensitive information), we will only do so where both a lawful basis for processing and an additional legal condition for processing such data applies.

These conditions may include that the processing is necessary for reasons of substantial public interest, for the provision of social care or safeguarding, for employment purposes, or where required or permitted by law, and in accordance with the requirements of the Data Protection Act 2018.

8. 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 because 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 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
- 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. Keeping 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. 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 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 if 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.

The Council retains different types of personal data for different periods, depending on the purpose for which the data is held and any legal or regulatory requirements. Further information about how long specific categories of personal data are retained is set out in the Council's records retention schedule, which is available from the Council on request or on the Council's website.

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, 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.

- (i) The right to access personal data we hold on you*
- (ii) The right to correct and update the personal data we hold 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.*

Right to object

Where we process your personal data because it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority, you have the right to object to that processing in certain circumstances.

If you object, we will stop processing your personal data unless we can demonstrate compelling grounds for the processing which override your interests, rights and freedoms, or where the processing is for the establishment, exercise or defence of legal claims.

Where your personal data is used for direct marketing, you have an absolute right to object at any time.

Right to restrict processing

You have the right to request that the Council restricts the processing of your personal data in certain circumstances.

This means that we may store your personal data but will not use it for any other purpose while the restriction is in place.

You can request restriction where:

- you contest the accuracy of the personal data;
- the processing is unlawful and you oppose erasure;
- we no longer need the data but you require it for legal claims; or
- you have objected to the processing and we are considering whether our grounds override yours.

You also have the right to lodge a complaint with the UK supervisory authority for data protection matters, the Information Commissioner's Office. Tel: 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

Where your personal data is transferred outside the United Kingdom, the Council will ensure that appropriate safeguards are in place to protect your personal data in accordance with UK data protection legislation.

These safeguards may include transfers to countries that have been recognised by the UK Government as providing an adequate level of protection for personal data, or the use of approved contractual safeguards.

Our website is also accessible from overseas and on occasion some personal data (for example in a newsletter) may be accessed from outside the United Kingdom.

11A. Automated decision-making

The Council does not use your personal data to make decisions about you based solely on automated processing, including profiling, which produce legal effects concerning you or similarly significantly affect you.

If this position changes, we will update this Privacy Policy and provide you with further information about how such processing operates and how you can exercise your rights.

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 our 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:

Email: clerk@fwtc.co.uk

Address: FRINTON AND WALTON TOWN COUNCIL, The Council House, Triangle Shopping Centre, Frinton-on-Sea, Essex, CO13 0AU.

Telephone 01255 676666

Policy agreed by: Full Council
Meeting Date: 26.02.26
Review Frequency: Three Yearly
Next Review Due: March 2029