



## MARLBOROUGH TOWN COUNCIL

### PRIVACY NOTICE

#### **Introduction**

Under data protection law, individuals have a right to be informed about how the Town Council uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about individuals who contact our Town Council.

We, Marlborough Town Council are the 'data controller' for the purposes of data protection law.

Our Data Protection Officer is provided by i-West (see 'Contact us' below).

#### **The personal data we hold**

Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Contact information such as name, address, email address, phone number, organisation
- Contact preferences
- CCTV images

We may also collect, store and use information about you that falls into "special categories" of more sensitive personal data including:

- racial or ethnic origin
- political opinions
- religious or philosophical beliefs
- trade union membership
- genetic data
- biometric data for the purpose of uniquely identifying a natural person
- data concerning health; or
- data concerning a natural person's sex life or sexual orientation

This type of personal information has extra protection in law, and this is explained further within the lawful basis section of our Privacy Notice below.

Our Special Categories of Personal Data Policy provides further information as to how we process this more sensitive data.

### **Why we use your personal data (Our 'Purposes')**

The information you provide such as name, address, email address, phone number, organisation will be processed and stored to enable us to contact you and respond to your correspondence, provide information and/or access our facilities and services. Your personal information will be not shared or provided to any other third party unless the law allows or requires us to do so.

### **The Councils Right to Process Information (Our 'Lawful Basis')**

We only collect and use personal information about you when the law allows us to. Most commonly this will be where:

- We are processing your data with your consent or;
- Processing is necessary for compliance with a legal obligation or;
- Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in us as the Town Council (data controller).

Less commonly, we may also process your personal data in situations where:

- We need to protect your vital interests (or someone else's vital interests) (this means life or death situations) or;
- We need to take steps to enter into a contract with you or;
- The processing is necessary for the purposes of our legitimate interests or those of a third party except where such interests are overridden by your interests.

Where we have obtained consent to process your personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using your personal data may overlap, and there may be several grounds which justify our use of your data.

Where we process more sensitive data (known as special category personal data) on you, we need an additional condition for processing. The bases we mainly use are:

- Explicit consent
- Substantial public interest with a basis in law including:
  - Statutory and government purposes
  - Equality of opportunity or treatment
  - Preventing or detecting unlawful acts
  - Safeguarding of children or individuals at risk
  - Elected representatives responding to requests

- To maintain your vital interests where you are physically or legally incapable of giving consent (e.g. where you are unconscious and in need of medical assistance and where your health data is then shared)

### **Information Security**

Marlborough Town Council has a duty to ensure the security of personal data. We make sure that your information is protected from unauthorised access, loss, manipulation, falsification, destruction or unauthorised disclosure. This is done through appropriate technical measures and appropriate policies. Copies of these policies can be requested from us (please see contact details below).

We will only keep your data for the purpose it was collected for and only for as long as is necessary, after which it will be deleted in line with our Data Retention Policy.

### **Children**

We will not process any data relating to a child (under 13) without the express parental/guardian consent of the child concerned.

### **Your Data Protection Rights**

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

- Obtain access to the information we hold about you – this is called the Right of Access and may be referred to as making a Subject Access Request
- Object to the use of your personal data if we are processing it on the basis of public interest; the exercise of official authority, or legitimate interests, in which case we will consider your objections particularly those around damage or distress, and balance them against the interests of the Council to continue to process the data
- Object to your data being used to send you direct marketing
- Object to the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than a person)
- Request that data which you believe to be inaccurate is amended
- In certain circumstances, have personal data deleted or destroyed, or the processing of the data restricted

### **Contact Us**

To exercise any of these rights, or to contact us for any other data protection reasons, please contact the Town Clerk, Marlborough Town Council – [townclerk@marlborough-tc.gov.uk](mailto:townclerk@marlborough-tc.gov.uk) – Telephone 01672 512487.

### **Information Correction:**

If you believe that the information we have about you is incorrect, please contact us so that we can update it and keep your data accurate. Please contact the Town Clerk, Marlborough Town Council using the contact details above.

**Complaints:**

If you have a complaint regarding the way your personal data has been processed you may make a complaint to Marlborough Town Council's Data Information Officer, the Town Clerk, Marlborough Town Council using the contact details above.

**Data Protection Officer:** Our DPO is One West: Email: [i-west@bathnes.gov.uk](mailto:i-west@bathnes.gov.uk)

Tel: 01225 395959

You can also complain to the Information Commissioner's Office (ICO) if you are unhappy with how we have used your data, but they would generally expect you to have raised the issue with us first.

The ICO's address:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF. Helpline number: 0303 123 1113. ICO website: <https://www.ico.org.uk>

**Conclusion:** In accordance with the law, we only collect a limited amount of information about you that is necessary for correspondence, information and service provision. We do not use profiling, we do not sell or pass your data to third parties (except where the latter is required or permitted by law). We do not use your data for purposes other than those specified. We make sure your data is stored securely. We delete all information deemed to be no longer necessary. We periodically review our Privacy Policies to keep them up to date regarding protecting your data.

We may need to update this Privacy notice periodically. This version was last updated on 15<sup>th</sup> September 2020.