



Whitchurch-on-Thames Parish Council

Policy and procedure to respond to an individual exercising statutory rights concerning their personal data.

As part of Whitchurch on Thames Parish Council's policy all Councillors are required to familiarise themselves with the following guidance:

<https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

The UK GDPR provides the following rights for individuals.

1. The right to be informed.
2. The right of access.
3. The right to rectification.
4. The right to erasure.
5. The right to restrict processing.
6. The right to data portability.
7. The right to object.
8. Rights in relation to automated decision making and profiling.

Below are the policies of Whitchurch on Thames Parish Council in relation to these rights.



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The right to be informed

- Whitchurch on Thames Parish Council recognise that individuals have the right to be informed about the collection and use of their personal data.
- Whitchurch on Thames Parish Council will provide individuals with information including: the purposes for processing their personal data, our retention periods for that personal data and who it will be shared with.
- Whitchurch on Thames Parish Council will provide individuals with this information at the time we collect personal data from them.
- If Whitchurch on Thame Parish Council obtains personal data from other sources, we will provide individuals with privacy information (as detailed above) within a reasonable period of obtaining the data and no later than one month.
- Whitchurch on Thames Parish Council recognise that the information we provide to people must be concise, transparent, intelligible, easily accessible and we understand that we must use clear and plain language.
- Whitchurch on Thames Parish Council regularly review and where necessary update the privacy information provided.
- Whitchurch on Thames Parish Council will bring any new uses of an individual's personal data to their attention before we start the processing of that data.
- Whitchurch on Thames Parish Council have a Privacy Notice on the village website: [https://whitchurchonthames.com/pcminutes/WOT%20PC%20Privacy%20Notice\[4088\].pdf](https://whitchurchonthames.com/pcminutes/WOT%20PC%20Privacy%20Notice[4088].pdf) If Whitchurch on Thames Parish Council decide to collect personal data for any reason other than personal data related to enquires e.g. surveys then a separate Privacy Notice will be produced which will detail the data to be collected, who it will be shared with and how long it will be stored for. Each Privacy Notice is to be shared in draft with the Data Protection Officer before it is made publicly available.

The right of access

- Whitchurch on Thames Parish Council know how to recognise a subject access request and we understand when the right of access applies.
- In cases where a verbal request is received, the person receiving the request must notify the Data Protection Office and the Clerk within 48 hours of the request and at the same time provide as much information about the request.



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- Whitchurch on Thames Parish Council understands what steps they would need to take to verify the identity of the requester, if necessary and recognise that we can pause the time limit for responding if we need to ask for clarification.
- Whitchurch on Thames Parish Council understand they can refuse a request and are aware of the information we need to provide to individuals when we do so.
- Whitchurch on Thames Parish Council understand the nature of the supplementary information we need to provide in response to a subject access request and have suitable information management systems in place to allow us to locate and retrieve information efficiently.
- Whitchurch on Thames Parish Council have processes in place to ensure that we respond to a subject access request without undue delay and within one month of receipt. All Councillors will receive an e-mail from the Clerk and be expected to respond within a two-week period. This will enable the Clerk to respond by the one-month deadline.
- Whitchurch on Thames Parish Council (its Councillors and Clerk) understands how to perform a reasonable search for the information.
- Whitchurch on Thames Parish Council understand what we need to consider if a third party makes a request on behalf of an individual.
- Whitchurch on Thames Parish Council are aware of the circumstances in which we can extend the time limit to respond to a request.
- Whitchurch on Thames Parish Council understand how to assess whether a child is mature enough to understand their rights.
- Whitchurch on Thames Parish Council understand that there is a particular emphasis on using clear and plain language if we are disclosing information to a child.
- Whitchurch on Thames Parish Council understand what we need to consider if a request includes information about others.
- Whitchurch on Thames Parish Council can deliver the information securely to an individual and in the correct format.

The right to rectification

- Whitchurch on Thame Parish Council's policy on the Right to rectification is as below. The Clerk will notify the Data Protection Officer of any requests for rectification. The Data Protection Officer will follow the ICO's guidance in determining



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whether to agree to the request. As part of this consideration the Data Protection Officer will speak to the Councillor(s) who processed the personal data.

- Whitchurch on Thames Parish Council can recognise a request for rectification and understand when this right applies.
- Whitchurch on Thames Parish Council have a policy for how to record requests we receive verbally. The person receiving the request must notify the Data Protection Office and the Clerk within 48 hours of the request and at the same time provide as much information about the request.
- Whitchurch on Thames Parish Council understand that we can refuse a request and are aware of the information that we need to provide to individuals when we do so.
- Whitchurch on Thames Parish Council have processes in place to ensure that we respond to a request for rectification without undue delay and within one month of receipt.
- Whitchurch on Thames Parish Council are aware of the circumstances when we can extend the time limit to respond to a request.
- Whitchurch on Thames Parish Council have appropriate systems to rectify or complete information or provide a supplementary statement. The Data Protection Office is responsible for drafting such a supplementary statement which would be sent out via the Clerk.
- Whitchurch on Thames Parish Council have procedures in place to inform any recipients if we rectify any data, we have shared with them. This would be done via a note in The Bulletin and on the village website.

The right to erasure

- Whitchurch on Thames Parish Council know how to recognise a request for erasure and we understand when the right applies.
- Whitchurch on Thames Parish Council a policy for how to record requests we receive verbally. The person receiving the request must notify the Data Protection Office and the Clerk within 48 hours of the request and at the same time provide as much information about the request.
- Whitchurch on Thames Parish Council understand when we can refuse a request and are aware of the information we need to provide to individuals when we do so.



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- Whitchurch on Thames Parish Council We have processes in place to ensure that we respond to a request for erasure without undue delay and within one month of receipt. Once the Data Protection Office has made a decision this will be communicated to the Clerk. The Clerk will then contact all Councillors if appropriate and ask them to securely erase all relevant data. The Clerk may also need to ask the village website to remove any relevant data from the website and any other recipients of the data.
- Whitchurch on Thames Parish Council are aware of the circumstances when we can extend the time limit to respond to a request. understand that there is a particular emphasis on the right to erasure if the request relates to data collected from children.
- Whitchurch on Thames Parish Council have procedures in place to inform any recipients if we erase any data we have shared with them.
- Whitchurch on Thames Parish Council have appropriate methods in place to erase information (see above).

The right to request for restriction

- Whitchurch on Thames Parish Council know how to recognise a request for restriction and we understand when the right applies.
- Whitchurch on Thames Parish Council have a policy in place for how to record requests we receive verbally. The person receiving the request must notify the Data Protection Office and the Clerk within 48 hours of the request and at the same time provide as much information about the request.
- Whitchurch on Thames Parish Council understand when we can refuse a request and are aware of the information we need to provide to individuals when we do so.
- Whitchurch on Thames Parish Council have processes in place to ensure that we respond to a request for restriction without undue delay and within one month of receipt. The Data Protection Office will consider the request and take account of the guidance from the ICO before coming to a decision.
- Whitchurch on Thames Parish Council are aware of the circumstances when we can extend the time limit to respond to a request.
- Whitchurch on Thames Parish Council have appropriate methods in place to restrict the processing of personal data on our systems.



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- Whitchurch on Thames Parish Council have appropriate methods in place to indicate on our systems that further processing has been restricted.
- Whitchurch on Thames Parish Council understand the circumstances when we can process personal data that has been restricted.
- Whitchurch on Thames Parish Council have procedures in place to inform any recipients if we restrict any data we have shared with them.
- Whitchurch on Thames Parish Council understand that we need to tell individuals before we lift a restriction on processing.

The right to request for data portability

- Whitchurch on Thames Parish Council know how to recognise a request for data portability and we understand when the right applies.
- Whitchurch on Thames Parish Council have a policy for how to record requests we receive verbally. The person receiving the request must notify the Data Protection Office and the Clerk within 48 hours of the request and at the same time provide as much information about the request.
- Whitchurch on Thames Parish Council understands when we can refuse a request and are aware of the information we need to provide to individuals when we do so.
- Whitchurch on Thames Parish Council can transmit personal data in structured, commonly used and machine-readable formats.
- Whitchurch on Thames Parish Council uses secure methods to transmit personal data.
- Whitchurch on Thames Parish Council have processes in place to ensure that we respond to a request for data portability without undue delay and within one month of receipt.
- Whitchurch on Thames Parish Council are aware of the circumstances when we can extend the time limit to respond to a request.
- Whitchurch on Thames Parish Council knows how to recognise an objection and we understand when the right applies.
- Whitchurch on Thames have a policy in place for how to record objections we receive verbally. A person receiving the request must notify the Data Protection Office and the Clerk within 48 hours of the request and at the same time provide as much information about the request.



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- Whitchurch on Thames Parish Council understand when we can refuse an objection and are aware of the information we need to provide to individuals when we do so.
- Whitchurch on Thames have clear information in our privacy notice about individuals' right to object, which is presented separately from other information on their rights.
- Whitchurch on Thames Parish Council understand when we need to inform individuals of their right to object in addition to including it in our privacy notice.

Complying with requests which object to processing

- Whitchurch on Thames Parish Council have processes in place to ensure that we respond to an objection without undue delay and within one month of receipt.
- Whitchurch on Thames Parish Council are aware of the circumstances when we can extend the time limit to respond to an objection.
- Whitchurch on Thames Parish Council have appropriate methods in place to erase, suppress or otherwise cease processing personal data. All Councillors must abide by the storage limits set by the Data Privacy Notice.
- At present Whitchurch on Thames Parish Council does not carry out any profiling and/or automated decision-making; if we started to do so then the following provisions would apply.
- Whitchurch on Thames Parish Council have a lawful basis to carry out profiling and/or automated decision-making and document this in our data protection policy.
- Whitchurch on Thames Parish Council will send individuals a link to our privacy statement when we have obtained their personal data indirectly. This action would be carried out by the Clerk.
- Whitchurch on Thames Parish Council can explain how people can access details of the information we used to create their profile.
- Whitchurch on Thames Parish Council tell people who provide us with their personal data how they can object to profiling, including profiling for marketing purposes.
- Whitchurch on Thames Parish Council have procedures for parishioners and others to access the personal data input into the profiles so they can review and edit for any accuracy issues.
- Whitchurch on Thames Parish Council have additional checks in place for our profiling/automated decision-making systems to protect any vulnerable groups (including children).



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- Whitchurch on Thames Parish Council only collect the minimum amount of data needed and have a clear retention policy for the profiles we create.
- Whitchurch on Thames Parish Council would carry out a Data Privacy Impact Assessment to consider and address the risks before we start any new automated decision-making or profiling.
- Whitchurch on Thames Parish Council would tell our customers about the profiling and automated decision-making we carry out, what information we use to create the profiles and where we get this information from.
- We use anonymised data in our profiling activities.

Whitchurch on Thames Parish Council - Policy for responding to and managing a personal data breach

- In the event of a personal data breach the Data Protection Officer and the Parish Clerk should be informed immediately. The report must include which data is the focus of the data breach.
- The Data Protection Officer will make an initial assessment of the likely risk to individuals as a result of a breach.
- The Data Protection Officer will if deemed it is appropriate inform the affected individuals about the breach (if it has been decided that their rights and freedoms are at high risk). This must happen without undue delay. The Data Protection Officer will provide advice to help the affected individuals to protect themselves from the effects of the breach.
- The Data Protection Office will notify the ICO of a breach within 72 hours of becoming aware of it (if this has deemed appropriate).
- Whitchurch on Thames Parish Council documents all breaches even if they don't all need to be reported.
- After each breach Whitchurch on Thames Parish Council will decide what remedial action (if any) to take.