



Privacy policy

1. Introduction

- 1.1 We are committed to safeguarding the privacy of our website visitors and service users.
- 1.2 This policy applies where we are acting as a data controller with respect to the personal data of our website visitors and service users; in other words, where we determine the purposes and means of the processing of that personal data.
- 1.3 In this policy, "we", "us" and "our" refer to *Halstead Town Council*. [For more information about us, see Section 13.]

2. Credit

- 2.1 This document was created using a template from SEQ Legal (<https://seqlegal.com>).

3. How we use your personal data

- 3.1 In this Section 3 we have set out:
 - (a) the general categories of personal data that we may process;
 - (b) the purposes for which we may process personal data; and
 - (c) the legal bases of the processing.
- 3.2 We may process [information contained in any enquiry you submit to us regarding goods and/or services] ("**enquiry data**"). The enquiry data may be processed [for the purposes of offering, marketing and selling relevant services to you]. The legal basis for this processing is consent.
- 3.3 We may process information relating to transactions, including purchases of services, that you enter into with us . ("**transaction data**"). [The transaction data may include your contact details, your card details and the transaction details] The transaction data may be processed for the purpose of supplying the purchased services and keeping proper records of those transactions. The legal basis for this processing is the performance of a contract between you and us and/or taking steps, at your request, to enter into such a contract and our legitimate interests, namely our interest in the proper administration of the town council.
- 3.4 We may process [information that you provide to us for the purpose of subscribing to our email notifications and/or newsletters] ("**notification data**"). The notification data may be processed for the purposes of sending you the relevant notifications and/or newsletters. The legal basis for this



processing is consent and/or taking steps, at your request, to enter into such a contract.

- 3.5 We may process information contained in or relating to any communication that you send to us ("**correspondence data**"). The correspondence data may include the communication content and metadata associated with the communication. Our website will generate the metadata associated with communications made using the website contact forms. The correspondence data may be processed for the purposes of communicating with you and record-keeping. The legal basis for this processing is our legitimate interests, namely the proper administration of our website and business and communications with users.
- 3.6 We may process any of your personal data identified in this policy where necessary for the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure. The legal basis for this processing is our legitimate interests, namely the protection and assertion of our legal rights, your legal rights and the legal rights of others.
- 3.7 We may process any of your personal data identified in this policy where necessary for the purposes of obtaining or maintaining insurance coverage, managing risks, or obtaining professional advice. The legal basis for this processing is our legitimate interests, namely the proper protection of our business against risks.
- 3.8 Please do not supply any other person's personal data to us, unless we prompt you to do so.

4. Providing your personal data to others

- 4.1 Financial transactions relating to our services are handled by our payment services providers. We will share transaction data with our payment services providers only to the extent necessary for the purposes of processing your payments, refunding such payments and dealing with complaints and queries relating to such payments and refunds.

5. International transfers of your personal data

- 5.1 You acknowledge that personal data that you submit for publication through our website or services may be available, via the internet, around the world. We cannot prevent the use (or misuse) of such personal data by others.

6. Retaining and deleting personal data

- 6.1 This Section 6 sets out our data retention policies and procedure, which are designed to help ensure that we comply with our legal obligations in relation to the retention and deletion of personal data.



6.2 Personal data that we process for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.

6.3 We will retain your personal data as follows:

(a) for as long as you rent an allotment or hold a parking permit with us, until you terminate that contract.

6.4 In some cases it is not possible for us to specify in advance the periods for which your personal data will be retained. In such cases, we will determine the period of retention based on the following criteria:

(a) the period of retention of financial data is 8 years.

6.5 Notwithstanding the other provisions of this Section 6, we may retain your personal data where such retention is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person.

7. Amendments

7.1 We may update this policy from time to time by publishing a new version on our website.

7.2 You should check this page occasionally to ensure you are happy with any changes to this policy.

7.3 We may notify you of changes to this policy by email.

8. Your rights

8.1 You may instruct us to provide you with any personal information we hold about you; provision of such information may be subject to:

(a) the payment of a fee; and

(b) the supply of appropriate evidence of your identity [(for this purpose, we will usually accept a photocopy of your passport certified by a solicitor or bank plus an original copy of a utility bill showing your current address)].

8.2 We may withhold personal information that you request to the extent permitted by law.

8.3 You may instruct us at any time not to process your personal information for marketing purposes.

8.4 In practice, you will usually either expressly agree in advance to our use of your personal information for marketing purposes, or we will provide you with an opportunity to opt out of the use of your personal information for marketing purposes.



9. Our details

- 9.1 This website is owned and operated by Halstead Town Council
- 13.2 We are registered in [England and Wales] under registration number Z2078738, and our registered office is at *Queens Hall, Chipping Hill Halstead CO9 2BY*.
- 13.3 Our principal place of business is at *Queens Hall Chipping Hill Halstead CO9 2BY*
- 13.4 You can contact us:
- (a) by post, to [the postal address given above];
 - (b) using our website contact form;
 - (c) by telephone, on [the contact number published on our website]; or
 - (d) by email, using [the email address published on our website].

14. Data protection officer

- 14.1 Our data protection officer's contact details are

Michael Letch

Letchwood Business Management

134 Witham Road

Black Notley

CM77 8LN

07932144777

info@letchwood.co.uk



Free privacy policy: drafting notes

This is a standard website or web app privacy policy, which will help you to comply with data protection legislation, and has been updated for the General Data Protection Regulation (also known as the GDPR).

This policy covers the following matters (amongst others): the collection of personal information; the use of that personal information; the legal bases for the processing of that information; disclosures of that personal information to third parties; international transfers of personal information; and the use of cookies on the website.

This document might not be suitable for you if the ways in which you use personal information are complex or unusual.

In any event, there are many aspects to data protection compliance. Publishing a privacy policy or statement containing the relevant information is only one aspect - albeit an important aspect - of compliance.

Section 1: Introduction

Section 1.1

Optional element.

Section 1.2

"Personal data" is defined in Article 4(1) of the GDPR:

"(1) 'personal data' means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person".

Section 1.3

Optional element.

The inclusion of this statement in your privacy policy will not in itself satisfy the requirements of the Privacy and Electronic Communications (EC Directive) Regulations 2003 as regards consent to the use of cookies. Guidance concerning methods of obtaining such consent is included on the Information Commissioner's website (<http://www.ico.gov.uk>).

- How will you gain users' consent to the use of cookies?

Section 1.4



Optional element.

Section 1.5

Optional element.

Section 2: Credit

Section: Free documents licensing warning

Optional element. Although you need to retain the credit, you should remove the inline copyright warning from this document before use.

Section 3: How we use your personal data

Article 13(1) of the GDPR provides that:

"(1) Where personal data relating to a data subject are collected from the data subject, the controller shall, at the time when personal data are obtained, provide the data subject with all of the following information: ... (c) the purposes of the processing for which the personal data are intended as well as the legal basis for the processing; (d) where the processing is based on point (f) of Article 6(1), the legitimate interests pursued by the controller or by a third party".

Article 6(1)(f) of the GDPR provides that:

"(1) Processing shall be lawful only if and to the extent that at least one of the following applies: ... (f) processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child."

Section 3.1

Article 14 of the GDPR, which applies where personal information is not obtained from the data subject, provides that information about "the categories of personal data concerned" must be supplied to data subjects.

Article 13 of the GDPR, which applies where personal information is obtained from the data subject, does not include an equivalent provision.

Nonetheless, we have included references to general categories of data in this document, because this facilitates the identification of particular purposes of processing and the legal bases of processing - information which does need to be provided under Article 13.

Section 3.2

Optional element.

Section 3.3



Optional element.

Section 3.4

Optional element.

Section 3.5

Optional element.

Section 3.6

Optional element.

Section 3.7

Optional element.

Section 3.8

Optional element.

Section 3.9

Optional element.

Section 3.10

Optional element.

Section 3.11

Optional element. Use this form of provision to identify and provide relevant information about other categories of personal data that you may process.

Section 3.12

Optional element.

Section 3.13

Optional element.

Section 3.15

Optional element.

Section 4: Providing your personal data to others

Article 13(1)(e) of the GDPR requires that where personal data are collected from the data subject, the data controller must provide the data subject with information about "the recipients or categories of recipients of the personal data".

Equivalent rules for data collected from someone other than the data subject are in Article 14(1)(e).



Section 4.1

Optional element.

Section 4.2

Optional element.

Section 4.3

Optional element.

Section 4.4

Optional element.

Section 4.5

Optional element.

Section 5: International transfers of your personal data

Optional element.

Article 13(1)(f) of the GDPR requires that data controllers disclose to data subjects "where applicable, the fact that the controller intends to transfer personal data to a third country or international organisation and the existence or absence of an adequacy decision by the Commission, or in the case of transfers referred to in Article 46 [transfers subject to appropriate safeguards] or 47 [binding corporate rules], or the second subparagraph of Article 49(1) [limited transfers for compelling legitimate interests], reference to the appropriate or suitable safeguards and the means by which to obtain a copy of them or where they have been made available".

Section 5.2

Optional element.

Section 5.3

Optional element.

Section 5.4

Optional element.

Section 5.5

Optional element. Will users have the opportunity to publish personal information on the website?

Section 6: Retaining and deleting personal data



Article 5(1)(e) of the GDPR sets out the storage limitation, one of the fundamental rules of the regime:

"Personal data shall be: ... kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) subject to implementation of the appropriate technical and organisational measures required by this Regulation in order to safeguard the rights and freedoms of the data subject ...".

Section 7: Amendments

Optional element.

Section 7.2

Optional element.

Section 7.3

Optional element. Will you ever contact users to notify them of changes to the document?

- How will users be notified of changes to the document?

Section 8: Your rights

Section 8.1

- What evidence of identity will you require before fulfilling a data protection subject access request?

Section 8.4

Optional element.

Section 8: Your rights

Article 13(2) of the GDPR provides that, where personal data is collected from a data subject, certain information about data subject rights must be provided:

"In addition to the information referred to in paragraph 1, the controller shall, at the time when personal data are obtained, provide the data subject with the following further information necessary to ensure fair and transparent processing: ... (b) the existence of the right to request from the controller access to and rectification or erasure of personal data or restriction of processing concerning the data subject or to object to processing as well as the right to data portability; (c) where the processing is based on point (a) of Article 6(1) or point (a) of Article 9(2), the existence of the right to withdraw consent at any time, without affecting the lawfulness of processing based on consent before its withdrawal; ...".



Similar provisions are set out in Article 14 in relation to personal data which is not collected from the relevant data subject.

Section 8.3

The right to access is set out in Article 15 of the GDPR.

Section 8.4

The right to rectification is set out in Article 16 of the GDPR.

Section 8.5

The right to erasure (or right to be forgotten) is set out in Article 17 of the GDPR, and must be notified to data subjects under Articles 13(2)(b), 14(2)(c) and 15(1)(e) of the GDPR.

Consider modifying the highlighted circumstances and exclusions, depending upon what will be most relevant to your processing.

Section 8.6

Article 18(1) of the GDPR states:

"The data subject shall have the right to obtain from the controller restriction of processing where one of the following applies: (a) the accuracy of the personal data is contested by the data subject, for a period enabling the controller to verify the accuracy of the personal data; (b) the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead; (c) the controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defence of legal claims; (d) the data subject has objected to processing pursuant to Article 21(1) pending the verification whether the legitimate grounds of the controller override those of the data subject.

Section 8.7

The right to object to processing is detailed in Article 21 of the GDPR, and must be notified to data subjects under Articles 21(4), 13(2)(b) and 14(2)(c).

Section 8.8

Optional element.

Article 21(3) of the GDPR states:

"Where the data subject objects to processing for direct marketing purposes, the personal data shall no longer be processed for such purposes."

Section 8.9

Optional element.



This right is set out in Article 21(6) of the GDPR.

Section 8.10

The right to data portability is set out in full in Article 20 of the GDPR, and must be notified to data subjects under Articles 13(2)(b) and 14(2)(c).

Section 8.11

The right to lodge a complaint with a supervisory authority is set out in Article 77 of the GDPR, and must be notified to data subjects under Articles 13(2)(d), 14(2)(e) and 15(1)(f).

Section 8.12

Article 7(3) of the GDPR sets out the right of withdrawal. The right must be notified to data subjects under Articles 13(2)(c) and 14(2)(d). See also Article 17(1)(b).

Section 9: About cookies

Optional element.

Section 9.2

Optional element.

Section 9.3

Optional element.

Section 10: Cookies that we use

Optional element.

Section 11: Cookies used by our service providers

Does the website serve any third party cookies, analytics cookies or tracking cookies to users?

Section 11.2

Optional element.

Section 11.3

Optional element. Will Google AdSense advertisements be published on the website?

This provision should be included if you publish Google AdSense interest-based advertisements on your website. Additional disclosures will be required if you have not opted out of third-party ad serving.

If the website sets any other cookies to users' machines that track behaviour, information about those cookies will also need to be disclosed.



Section 12: Managing cookies

Optional element.

Section 12.3

Optional element. Will the blocking of cookies have a negative effect upon the use of the website from a user perspective?

Section 13: Our details

UK companies must provide their corporate names, their registration numbers, their place of registration and their registered office address on their websites (although not necessarily in this document).

Sole traders and partnerships that carry on a business in the UK under a "business name" (i.e. a name which is not the name of the trader/names of the partners or certain other specified classes of name) must also make certain website disclosures: (i) in the case of a sole trader, the individual's name; (ii) in the case of a partnership, the name of each member of the partnership; and (iii) in either case, in relation to each person named, an address in the UK at which service of any document relating in any way to the business will be effective. All websites covered by the Electronic Commerce (EC Directive) Regulations 2002 must provide a geographic address (not a PO Box number) and an email address. All website operators covered by the Provision of Services Regulations 2009 must also provide a telephone number.

Section 13.1

- What is the name of the company, partnership, individual or other legal person or entity that owns and operates the website?

Section 13.2

Optional element. Is the relevant person a company?

- In what jurisdiction is the company registered?
- What is the company's registration number or equivalent?
- Where is the company's registered address?

Section 13.3

Optional element.

- Where is the relevant person's head office or principal place of business?

Section 13.4

Optional element.

- By what means may the relevant person be contacted?



- Where is the relevant person's postal address published?
- Either specify a telephone number or give details of where the relevant number may be found.
- Either specify an email address or give details of where the relevant email address may be found.

Section 14: Data protection officer

Optional element.

Section 14.1

Some data controllers and data processors will have an obligation to appoint a data protection officer (DPO). The basic obligation is set out in Article 37(1) of the GDPR:

"(1) The controller and the processor shall designate a data protection officer in any case where: (a) the processing is carried out by a public authority or body, except for courts acting in their judicial capacity; (b) the core activities of the controller or the processor consist of processing operations which, by virtue of their nature, their scope and/or their purposes, require regular and systematic monitoring of data subjects on a large scale; or (c) the core activities of the controller or the processor consist of processing on a large scale of special categories of data pursuant to Article 9 and personal data relating to criminal convictions and offences referred to in Article 10."

Article 13(1)(b) of the GDPR provides that:

"(1) Where personal data relating to a data subject are collected from the data subject, the controller shall, at the time when personal data are obtained, provide the data subject with all of the following information ... (b) the contact details of the data protection officer, where applicable".

See also Article 14(1)(b).

- Insert contact details of the appointed data protection officer (if any).