

Witham Town Council: General Privacy Notice

Policy Overview

This document explains how Witham Town Council handles and processes data, what we use data for and your rights concerning your personal data. It applies to all the personal data we process in carrying out our functions as a local authority, including data collected in person, by post, email, telephone, online via our website (witham.gov.uk) and through our public CCTV systems.

1. What do we mean by 'Personal Data'?

'Personal Data' is any information about a living individual which allows them to be identified from that data, for example through a name, photograph or email address. Identification can be through direct use of the data or by combining it with other information. The processing of personal data is governed by the General Data Protection Regulation (GDPR) the Data Protection Act 2018 and supporting legislation such as the Human Rights Act 1998.

2. Who are we?

This privacy notice is provided to you by Witham Town Council, a statutory local authority which is a registered data controller with the Information Commissioner's Office.

Our contact details are:

- Witham Town Council, Town Hall, 61 Newland Street, Witham, Essex, CM8 2FE
- Telephone: 01376 520627
- Email: infocentre@witham.gov.uk

3. Data Protection Officer (DPO):

The Council's Data Protection Officer is the Town Clerk. You can contact the DPO at the postal and email addresses above if you have any questions about how we use your personal data.

4. What other Data Controllers do we work with?

Witham Town Council also works with other data controllers, including:

- **Principal Authorities (District & County Councils)**
- **Government Departments**
- **Affiliations & Professional Bodies**
- **Not for Profit Entities**
- **Contractors**
- **Community Groups**
- **Credit Referencing Agencies.**

There may be instances where we need to share your personal data with such bodies so that they can carry out their responsibilities to the Council. In certain instances, the Council may be a joint data-controller with other organisations, and you may exercise any of your rights with any data controller who is handling your personal data. A description of what personal data Witham Town Council processes and for what purposes is set out within this Privacy Notice.

5. What does Witham Town Council process?

The Council will process some or all of the following personal data where necessary to perform its general tasks:

- **Names, titles and aliases.**
- **Photographs**
- **Contact details (email/phones)**
- CCTV images and associated metadata (such as location, date and time of recording)
- **Where relevant services are provided by the Council, or where you provide them to us, we may process information such as gender, age, marital status, nationality, education/work history, academic/professional qualifications, hobbies, family composition and dependents.**
- **Where goods and services are paid for, bank details and transaction histories.**
- **The data we process may include sensitive personal data.**

6. How we use sensitive personal data.

We may process sensitive personal data in order to comply with legal requirements and obligations to third parties.

Sensitive Personal Data is defined under the General Data Protection Regulation as a special data category which requires a higher level of protection with all such data justified. The Town Council may only utilise and process such data on legitimate grounds, such as:

- **Limited circumstances with your written consent.**
- **Where we must carry out our legal obligations.**
- **Where it is required in the public interest.**

Less commonly, we may process this type of personal data where it is needed in relation to legal claims or where it is needed to protect your interests, or somebody else's interests and you are not capable of giving your consent, or where you have already made the information public.

We apply additional safeguards to special category data, including access controls and stricter retention periods where appropriate.

7. Consent for processing sensitive personal data.

In limited circumstances, we may approach you for your written consent to allow us to process certain sensitive personal data. If we do so, we will provide you with full details of the personal data that we would like and the reason we need it so that you can carefully consider whether you wish to consent.

Where we rely on consent as our lawful basis, you have the right to withdraw that consent at any time (see section 15). Withdrawing consent will not affect the lawfulness of any processing carried out before you withdraw it.

8. General Compliance

The Council has taken all necessary steps to ensure compliance with data protection legislation. Witham Town Council ensures that all data held is:

- 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 that we have told you about and limited to only those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purpose 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, authorized access and disclosure.

We are committed to meeting our transparency and information obligations under Articles 12–14 UK GDPR, which are a particular regulatory focus for data protection authorities in 2026.

The Council may use your personal data for some or all of the following purposes:

- To deliver public services including to understand your needs and provide services that you request and to understand what we can do for you, informing you of any other relevant services.
- To confirm your identity in order to provide some services.
- To contact you through approved channels.
- To help us evaluate our performance as a local authority.
- To prevent and detect fraud and corruption in the use of public funds, and where necessary, law enforcement functions.
- To enable us to discharge our statutory functions as a local authority.
- To carry out appropriate safe-guarding policies.
- To promote the interests of the Council.
- To maintain the Council's accounts and records.
- To seek your views, opinions and comments.
- To notify you of relevant changes to our facilities, Council membership and elections.
- To send you communications that you have requested or may be of interest to you.
- To process relevant financial transactions including grants and payments for goods and services and services supplied to the Council.
- To allow for the statistical analysis of Council services for future planning and provision.

9. Data Processing for CCTV Systems

The Town Council may also process data concerning our CCTV systems for the prevention and prosecution of crime. The management of the Town Council's CCTV is defined across the Council's data retention policies.

Cameras are not live monitored, only pre-recorded footage is viewed by council officers except in specific circumstances where real-time monitoring is necessary and proportionate to respond to an incident or law enforcement request.

CCTV Cameras and recorded footage may be viewed by authorised officers, Essex Police and other law enforcement agencies, in accordance with our CCTV Policy and data-sharing agreements. Recorded footage may be shared with other local authorities.

Warning signs are displayed at access routes to CCTV-covered areas, to provide clear notice that CCTV is in operation and to explain who operates the system.

We will only retain CCTV recordings for as long as is necessary for the purposes described above, in line with our Retention Policy, unless a longer retention period is required for legal proceedings or law-enforcement purposes.

10. The Legal Basis for Processing Personal Data

The Council is a statutory public authority and holds both discretionary powers to perform tasks and statutory duties that it must complete. The vast majority of data processed is on the following legal basis-

- Public task (Article 6(1)(e)) – where processing 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 (for example, exercising statutory functions, managing public spaces, running consultations, operating CCTV for public safety).
- Legal obligation (Article 6(1)(c)) – where we must process your data to comply with a legal obligation (for example, record-keeping duties, health and safety, responding to information requests).
- Contract (Article 6(1)(b)) – where processing is necessary for a contract with you, such as hiring or using a Council-run facility.
- Legitimate interests (Article 6(1)(f)) – in limited cases, for example for website security or some types of non-statutory communication, provided these interests are not overridden by your rights and freedoms. Where we rely on legitimate interests we will explain what those interests are.
- Consent (Article 6(1)(a)) – where you have given clear consent for us to process your personal data for a specific purpose. We will always tell you when we are relying on consent and how you can withdraw it.

For special category data, we rely on additional conditions in Article 9 UK GDPR and Schedule 1 of the Data Protection Act 2018, including substantial public interest, employment and social protection law, and explicit consent where appropriate.

11. Sharing your personal data

This section provides information about the third parties with whom the council may share your personal data. These third parties 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 must share personal data with:

- **Approved data controllers and contracted agents, such as Information Centre partners.**
- **Our agents, suppliers and contractors where contractors provide services on our behalf such as newsletter distribution.**
- **Other local authorities or not-for-profit bodies, including Councils, with which we are carrying out joint ventures or partnership working (for example, Braintree District Council)**

- **Law enforcement and other public authorities such as the Police, where necessary and lawful, particularly in relation to CCTV footage and fraud prevention**

We do not sell your personal data to third parties. We will only share your data where we have a lawful basis to do so, and where possible we will share the minimum amount of data necessary.

12. Data Retention

We will keep some records permanently if we are legally required to do so. We may keep other records for an extended period of time on legitimate public interest grounds. In all cases, we will only retain personal data for as long as it is needed for the purposes for which it was collected, or to meet legal, accounting or reporting requirements. End of addition. A full schedule of document retention periods is detailed in our Data Retention Policy.

13. Your Rights Concerning Personal Data

You have statutory rights concerning the use and management of your personal data. When exercising your rights and in order to process any request made by you, we may need to verify your identity for your security. In such cases we will need you to supply the Council with proof of your identity before exercising your rights.

I. Right of Access (Subject Access Request)

At any point you can contact the Council to request a copy of any of your personal data held by us, as well as why this information is being held, and where the information was obtained from. Requests will be responded to within a 30-day window.

There are no fees or charges for making a Subject Access Request. Excessive requests which are manifestly unfounded or malicious may be subject to administration fees or refusal.

II. Right to rectification

If the data we hold on you is out of date, incomplete or incorrect, you can inform us and your data will be updated.

III. Right to erasure

If you feel that the Council should no longer be using your personal data or that we are unlawfully using your personal data, you can request that we erase the personal data we hold. We will confirm whether your data has been deleted or explain the reasons why it cannot be deleted (for example, because we must retain it by law or because it is needed for a public task).

IV. Right to restrict processing

You have the right to request that we stop processing your personal data or ask us to restrict processing. Upon receiving the request, we will contact you and let you know if we are able to comply or if other legal obligations prevent us from ceasing the processing of data.

V. Right to object

You have the right to object to processing of your personal data where we are relying on public task or legitimate interests as our lawful basis, including any profiling based on those grounds, and to direct marketing. We will explicitly draw this right to your attention whenever we collect your data for such purposes.

VI. *The right to data portability.*

You have the right to request that we transfer some of your data to another controller. We will comply with your request where it is feasible to do so, within one month of receiving your request.

VII. *The right to withdraw your consent*

You can withdraw your consent at any time for any processing of data for which consent was obtained. You can withdraw your consent easily by telephone, email or by post (see contact details below).

VIII. *The right to lodge a complaint with the Information Commissioner's Office (ICO).*

You may contact the Information Commissioners Office on 0303 123 1113 or at the Commissioner's Office Address:

**ICO
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF**

Further information is available at ico.org.uk

14. Further Processing

If we wish to use your personal data for a new purpose not covered by this Privacy Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and legal basis. Where necessary, we will seek your prior consent to the new processing.

Contacting us about this policy.

This policy is overseen and enforced by the Town Council's Data Protection Officer. If you have questions concerning Data Protection, please contact the Data Protection Officer:

Nikki Smith, Town Clerk
Town Hall
61 Newland Street
Witham
Essex
CM8 2FE

Email: infocentre@witham.gov.uk

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