

Activity and Purpose	Personal Details Held	How it is held	Where did the Information come from?	Who will it be shared with?	Legal Basis	Length of time to be held
Council Membership	Address, email, landline, mobile phone, photographs	Electronically Some information on the website Hard copy file	Member	Within the Council only and upon consent with them for publication or sharing with other parties	Articles 6a,6b,6c,6e	While a member of the Council
Friends and volunteers of Brundall Parish Council	Address, email, landline, mobile phone, photographs	Electronically Hard copy file on site and in office	Volunteers	Within the Council only and upon consent with them for publication or sharing with other parties	Articles 6a,6b,6c,6e	While active volunteers
Allotments tenancy agreements	Address, email, landline and mobile phone, photographs	Electronically Lever arch file in office	Tenant	Brundall Allotment Association	Articles 6a,6b,6c,6e	While an allotment tenant
Cemetery records	Address, email, landline, mobile phone	Electronically Hard copy in Cemetery records file	Grave purchaser, next of kin	Undertaker	Articles 6a,6b,6c,6e	Indefinitely
Tradesperson and contractors	Address, email, landline and mobile phone	Electronically Lever arch file in office	Tradesperson	Relevant committee or councillor	Articles 6a,6b,6e	While undertaking any work and for up to 5 years
Employee	Address, email, landline and mobile phone. Files of previous and present employment.	Hard copy and electronically	Employee, Employee's previous employer	Employee only, Staffing Committee and employee's future employer where requested by employee.	Articles 6a,6b,6c,6e	While employed and for 12 months from leaving the Council
Outside Public Authority (Officers of NCC, BDC, other LA's)	Address, email, landline	Hard copy and electronically	Outside Authority or third party with contractual consent with OPA	OPA, third party and relevant Committee	Article 6a,6c,6e	While relevant

Private Company	Address, email, landline	Hard copy and electronically	Private Company	Relevant committee	Article 6b, 6c	12 months after correspondence
Resident of Brundall as Correspondent	Address, email, landline	Hard copy and electronically	Resident	Relevant committee, employee and Public Authority	Article 6a, 6e	12 months after correspondence

References: GDPR Regulations 2018 (EU).

What are the lawful bases for processing?

The lawful bases for processing are set out in Article 6 of the GDPR. At least one of these must apply whenever you process personal data:

- (a) Consent:** the individual has given clear consent for you to process their personal data for a specific purpose.
- (b) Contract:** the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.
- (c) Legal obligation:** the processing is necessary for you to comply with the law (not including contractual obligations).
- (d) Vital interests:** the processing is necessary to protect someone's life.
- (e) Public task:** the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.
- (f) Legitimate interests:** the processing is necessary for your legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests. (This cannot apply if you are a public authority processing data to perform your official tasks.)

For more detail on each lawful basis, read the relevant page of this guide.

If you are processing for purposes other than legal obligation, contract, vital interests or public task, then the appropriate lawful basis may not be so clear cut. In many cases you are likely to have a choice between using legitimate interests or consent. You need to give some thought to the wider context, including:

- Who does the processing benefit?
- Would individuals expect this processing to take place?
- What is your relationship with the individual?
- Are you in a position of power over them?
- What is the impact of the processing on the individual?
- Are they vulnerable?
- Are some of the individuals concerned likely to object?
- Are you able to stop the processing at any time on request?

You may prefer to consider legitimate interests as your lawful basis if you wish to keep control over the processing and take responsibility for demonstrating that it is in line with people's reasonable expectations and wouldn't have an unwarranted impact on them. On the other hand, if you prefer to give individuals full control over and responsibility for their data (including Article 39

Tasks of the data protection officer

1. The data protection officer shall have at least the following tasks:

- (a) to inform and advise the controller or the processor and the employees who carry out processing of their obligations pursuant to this Regulation and to other Union or Member State data protection provisions;
- (b) to monitor compliance with this Regulation, with other Union or Member State data protection provisions and with the policies of the controller or processor in relation to the protection of personal data, including the assignment of responsibilities, awareness-raising and training of staff involved in processing operations, and the related audits;
- (c) to provide advice where requested as regards the data protection impact assessment and monitor its performance pursuant to Article 35;

(d) to cooperate with the supervisory authority;

(e) to act as the contact point for the supervisory authority on issues relating to processing, including the prior consultation referred to in Article 36, and to consult, where appropriate, with regard to any other matter.

2. The data protection officer shall in the performance of his or her tasks have due regard to the risk associated with processing operations, taking into account the nature, scope, context and purposes of processing the ability to change their mind as to whether it can continue to be processed), you may want to consider relying on individuals' consent.

Article 39

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2. The data protection officer shall in the performance of his or her tasks have due regard to the risk associated with processing operations, taking into account the nature, scope, context and purposes of processing

Article 6**Lawfulness of processing**

1. Processing shall be lawful only if and to the extent that at least one of the following applies:

- (a) the data subject has given consent to the processing of his or her personal data for one or more specific purposes;**
- (b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;**
- (c) processing is necessary for compliance with a legal obligation to which the controller is subject;**
- (d) processing is necessary in order to protect the vital interests of the data subject or of another natural person;**
- (e) 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 controller;**
- (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.**

Point (f) of the first subparagraph shall not apply to processing carried out by public authorities in the performance of their tasks.

2. Member States may maintain or introduce more specific provisions to adapt the application of the rules of this Regulation with regard to processing for compliance with points (c) and (e) of paragraph 1 by determining more precisely specific requirements for the processing and other measures to ensure lawful and fair processing including for other specific processing situations as provided for in Chapter IX.

3. The basis for the processing referred to in point (c) and (e) of paragraph 1 shall be laid down by:

- (a) Union law; or**
- (b) Member State law to which the controller is subject.**

The purpose of the processing shall be determined in that legal basis or, as regards the processing referred to in point (e) of paragraph 1, shall be necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. That legal basis may contain specific provisions to adapt the application of rules of this Regulation, inter alia: the general conditions governing the lawfulness of processing by the controller; the types of data which are subject to the processing; the data subjects concerned; the entities to, and the purposes for

which, the personal data may be disclosed; the purpose limitation; storage periods; and processing operations and processing procedures, including measures to ensure lawful and fair processing such as those for other specific

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processing situations as provided for in Chapter IX. The Union or the Member State law shall meet an objective of public interest and be proportionate to the legitimate aim pursued.

4. Where the processing for a purpose other than that for which the personal data have been collected is not based on the data subject's consent or on a Union or Member State law which constitutes a necessary and proportionate measure in a democratic society to safeguard the objectives referred to in Article 23(1), the controller shall, in order to ascertain whether processing for another purpose is compatible with the purpose for which the personal data are initially collected, take into account, inter alia:

- (a) any link between the purposes for which the personal data have been collected and the purposes of the intended further processing;**
- (b) the context in which the personal data have been collected, in particular regarding the relationship between data subjects and the controller;**
- (c) the nature of the personal data, in particular whether special categories of personal data are processed, pursuant to Article 9, or whether personal data related to criminal convictions and offences are processed, pursuant to Article 10;**
- (d) the possible consequences of the intended further processing for data subjects;**
- (e) the existence of appropriate safeguards, which may include encryption or pseudonymisation**