

Data Protection Policy

Introduction

The Data Protection Act 2018 ("the 2018 Act") came into force on 25 May 2018. The 2018 Act gives effect in UK Law to the General Data Protection Regulation ("GDPR"). It provides the statutory framework for the use of computerised information (including microfiche, audio and visual systems) and also certain manual records about living identifiable individuals in the United Kingdom. Data Protection legislation does not prohibit disclosures of such information to third parties, but it regulates the circumstances in which they can be made. It gives enhanced "subject access rights" (see below) and creates a new category of "sensitive data". It also prohibits the transfer of personal data to countries which do not have an "adequate level of protection". Annex 1 summarises in table form the relevant GDPR requirements.

Policy

The Data Protection Act is concerned with respecting the rights of individuals when processing their personal information. The Parish Council will be open and honest with employees, Councillors and the Public about the use of information about them and will follow good data handling procedures. The Act is mandatory and all organisations that hold or process personal data must comply.

Parish Council will protect your data, all employees and Councillors are responsible for complying with the Data Protection Act when dealing with any data.

1. personal data should be processed fairly and lawfully
2. data should be obtained only for one or more specified and lawful purposes
3. the data should be adequate, relevant and not excessive
4. it should be accurate and where necessary kept up to date
5. any data should not be kept for longer than necessary
6. personal data should be processed in accordance with the individuals rights under the act
7. data should be kept secure
8. personal data should not be transferred outside the European Economic Areas unless the country offers adequate data protection.

Collecting Data

Hethersgill Parish Council recognises its responsibility to be open with people when taking personal details from them. This means that staff and councillors must be honest about why they want a particular piece of information. If, for example, a member of the public gives their phone number to staff or a member of the Parish Council, this will only be used for the purpose it has been given and will not be disclosed to anyone else without prior permission. Data may be collected via the Parish Council's website via the 'Contact Us' form. The contact us webpage contains a privacy statement about how the data will be stored and used.

The Parish Council has legitimate grounds for collecting and using personal data. For example, we need your bank details to pay your wage, your address and telephone number to contact you.

Storing and Accessing Data

Hethersgill Parish Council may hold information about individuals such as their addresses and telephone numbers. These are kept in a secure location at the Parish Clerk's place of work and are not available for the public to access. All data stored on a computer is password protected. Once data is not needed anymore, if it is out of date or has served its use, it will be shredded or deleted from the computer.

The Parish Council is aware that people have the right to access any information that is held about them. If a person requests to see any data that is being held about them,

- They must be sent all of the information that is being held about them
- There must be explanation for why it has been stored
- There must be a list of who has seen it
- It must be sent within 40 days

A fee to cover photocopying and postage charges will be charged to the person requesting the personal information. This fee will be agreed by the Council and amended in line with inflation from time to time. Currently this fee will not exceed £10.

People have a right to ask to see their personnel file and any other documents that relate to them, such as payroll, contracts.

Disclosure of Information

If an elected member of the council, for example a councillor needs to access information to help carry out their duties, this is acceptable. They are only able to access as much information as necessary and it should only be used for that specific purpose and with permission. If for instance someone has made a complaint about over hanging bushes in a garden, a councillor may access an address and telephone number of the person who has made the complaint so they can help with the enquiry. However, before they access any sensitive information about a person, they would need consent to do this from the Parish Clerk. Data should never be used for political reasons unless the data subjects have consented.

Confidentiality

Hethersgill Parish Council staff and councillor must be aware that when complaints or queries are made, they must remain confidential unless the subject gives permission otherwise. When handling personal data, this must also remain confidential. If a data breach is identified the ICO must be informed within 72 hours and an investigation will be conducted.

General Information

The Parish Council won't use any of your data in a way that will unjustifiably have an adverse effect on you; we will be transparent about why we need the data and how we will use it. We will keep your data private and safe and not share anything with individuals or organisations without your express permission.

The Parish Council will strive to do nothing illegal with personal data.

This IT Policy should be used alongside the council's other adopted policies and procedures. Together, these documents form the council's approach to responsible digital governance and legal compliance.

Contact Details

Please contact us if you have any questions about this policy or the personal data we hold about you or to exercise all relevant rights, queries or complaints at:

The Data Controller, Hethersgill Parish Council, School House. Low Row, Brampton, CA8 2LN

Email: clerk@hethersgillparish.gov.uk

— policy ends here —

Accepted by FCM and Adopted: DATE

Date for next review: DATE

Review: Annually

Amendment Notes -

Date accepted by FCM	Amendment

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