

Aldbourne Parish Council



DATA PROTECTION POLICY

Adopted 2 June 2021

Next review 2023

Aldbourne Parish Council recognises its responsibility to comply with the Data Protection Act 1998 and the General Data Protection Regulation. The act and regulation regulate the use of personal data, this does not have to be sensitive data, it can be as little as a name and address.

The Data Protection Act:

The Data Protection Act 1998 sets out high standards for the handling of personal information and protecting individuals' rights for privacy. It also regulates how information can be collected, handled, and used. The Data Protection Act applies to anyone holding information about people electronically or on paper.

The General Data Protection Regulation:

The General Data Protection Regulation 2018 says that the information provided to people about how we process their personal data must be concise, transparent, intelligible, and easily accessible, written in clear and plain language, particularly if addressed to a child and free of charge.

As a local authority Aldbourne Parish Council has a number of procedures in place to ensure that it complies with The Data Protection Act 1998 and the General Data Protection Regulation 2018 when holding personal information.

Aldbourne Parish Council has appointed the clerk as the designated Data Protection Officer. The clerk will receive training for this role, as required.

When dealing with personal data, Aldbourne Parish Council staff and councillors must ensure that:

- **Data is processed fairly, lawfully and in a transparent manner**
This means that personal information should only be collected from individuals if staff have been open and honest about why they want the personal information.
- **Data is processed for specified purposes only**
This means that data is collected for specific, explicit, and legitimate purposes only.

- **Data is relevant to what it is needed for**
Data will be monitored so that too much or too little is not kept; only data that is needed should be held.
- **Data is accurate and kept up to date and is not kept longer than it is needed**
Personal data should be accurate, if it is not it should be corrected. Data no longer needed will be shredded or securely disposed of.
- **Data is processed in accordance with the rights of individuals**
Individuals must be informed, upon request, of all the personal information held about them.
- **Data is kept securely**
There should be protection against unauthorised or unlawful processing and against accidental loss, destruction, or damage.

Collecting Data

Aldbourne Parish Council recognises its responsibility to be open with people when taking personal details from them. This means that staff 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 Aldbourne Parish Council, this will only be used for the purpose it has been given and will not be disclosed to anyone else. Data may be collected via the Parish Council's website – the 'Contact Us' form or 'Emailing Lists' form. The webpages for both forms contain policy statements about how the data will be stored and used.

Storing and Accessing Data

Aldbourne 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 residence and are not available for the public to access. All data stored on a computer is password protected. Once data is not needed any more, is out of date or has served its use and falls outside the minimum retention time of councils Records Retention Policy, it will be shredded or securely 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 30 working days and should be free of charge
- Requests that are manifestly unfounded or excessive may be refused or a charge made
- If a request is refused, a reason must be given.

If an individual requests that their data is rectified or erased, this will be carried out.

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. 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. They can only do this providing they represent the area that the subject lives in. 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

Aldbourne Parish Council staff must be aware that when complaints or queries are made, they must be 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 and an investigation will be conducted.

This policy will be reviewed bi-annually, as well as a bi-annual review of the compliance and effectiveness of the policy.