

## Data Protection Policy

The General Data Protection Regulation (GDPR) 2018 replaced The Data Protection Act 1998 bringing the handling of personal information into the 21<sup>st</sup> Century. It not only protects individual's rights to privacy but also regulates how personal data can be collected, handled and used. This applies to anyone holding personal information about people electronically or on paper form.

As a Local Authority, Old Marston Parish Council, has procedures in place to ensure that it complies with current legislation involving personal information. The Parish Council has also notified the Information Commissioner that it holds personal information about individuals.

When dealing with personal data, Old Marston Parish Council Clerk and Councillors must ensure that:

**Data is processed fairly and lawfully** - This means that personal information should be collected from individuals if staff and councilors have been open and honest about why they want the personal information.

**Data is processed for specific 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** - Personal data should be accurate, if it is not it should be corrected.

**Data is not kept longer than it is needed** - Data will not be kept longer than it is needed for its original purpose or anticipated needs.

**Data is processed in accordance with the rights of individuals** - This means that individuals must be informed, or all the personal information held about them.

**Data is kept securely** - This means that only staff and councilors can access the data, it should be stored securely so it cannot be accessed by members of the public.

**Lawful Basis for processing Personal Data** - There are six lawful bases for processing personal data. The Parish Council has reviewed the data held and determined the lawful basis upon which it is held and the purpose for which it is held. See Appendix A

**Storing and accessing data** - Old Marston Parish Council recognizes its responsibilities to be open with people when taking personal details from them. This means that councilors and clerk must be honest about why they want a particular piece of

personal information. If, for example, a member of the public gives their phone number to the Clerk or a member of Old Marston Parish Council, this will only be used for the purpose it has been given and will not be disclosed to anyone else.

Old Marston Parish Council may hold personal information about individuals such as their addresses and telephone numbers. These will be kept in a secure location at the home of the Parish Clerk and are not available for public access. All such data stored on the clerk's 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 burned or deleted from the computer.

The Parish Council is aware that people have the right to access any personal 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 personal 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 must not exceed £10.

**Processing of Special Category Data** - Certain data such as race, religion, sexual orientation is classed as Special Category data. Old Marston Parish Council has no need to hold or process such data.

**Disclosure of personal information** - If a Councillor needs to access personal information to help carry out their duties, this is acceptable. They are only able to access as much personal information as necessary and it should only be used for that specific purpose. If, for example, someone has made a complaint about an over-hanging hedge, 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.

Old Marston Parish Council does not divulge personal data for marketing or surveys.

**Confidentiality** - Old Marston Parish Council councilors and staff 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.

**Sharing Information Protocol – Forwarding Emails:** When forwarding the contents of an email the original sender’s personal data must be respected at all times, unless consent has been given for this to be shared. If consent has not been given you must copy and paste the contents you wish to share, for instance, “a parishioner has told me...” then include the section of the text you wish to share.

Adopted: November 2018

Next Review Date: November 2019

<b>Data</b>	<b>Held by</b>	<b>Purpose</b>	<b>Legal Basis</b>	<b>Comments</b>
Councillor names, addresses, telephone numbers and email address.	Parish Clerk	Communication and administration of council business	Public task.	
Contact details for all organisations with which the parish council conducts financial business	Responsible Financial Officer	Administration of council business	Public task.	
Contact details for people who communicate with the parish council, including other parish, district and county organisations	Parish Clerk, Chairman and Councillors	Smooth running of council business	Public task.	Mix of personal and business contact details.
Local landowners names and addresses	Chairman, Parish Clerk	Communication and consultation regarding Neighbourhood Plan	Legal obligation.	Neighbourhood Plan Regulation s Section 14 Open source information from Land Registry
Job applications	Selection Committee	Conduct of staff recruitment	Contract.	Data no longer required to be destroyed.
Planning Applications	Parish Clerk	Parish Council review of all application	Public task.	Open source data
Electoral Register	Parish Clerk	Record of all eligible electors in the parish.	Public task.	
Maintenance contractor details	Parish Clerk	To allow setting up of maintenance contracts	Contract.	Mainly business contact details.