Ellington Parish Council
Policy Document

DATA PROTECTION POLICY

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Policy Author: Lisa Hazel

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Data Protection Policy

Ellington Parish Council recognises its responsibility to comply with the General Data Protection Regulation (GDPR). This legislation regulates the use of personal data.

The GDPR

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

The Parish Council needs to retain certain information on its employees to carry out its day-to-day operations, to meet its objectives and to comply with legal obligations. The Parish Council will in the course of carrying out its business have access to personal information such as addresses and telephone numbers. The Parish Council is committed to ensuring any personal data will be dealt with in line with the GDPR.

The aim of this policy is to ensure that everyone handling personal data is fully aware of the requirements and acts in accordance with data protection procedures.

In line with the principles of the GDPR, the Parish Council will ensure that personal data will:

- be obtained fairly and lawfully: personal information should only be collected if staff and Councillors have been open and honest about why they want the personal information;
- be obtained for a specific and lawful purpose;
- be accurate and kept up to date;
- not be held longer than necessary;
- be subject to appropriate security measures;
- be adequate, relevant and not excessive, and held only for the purpose for which it was obtained;
- be processed in line with the rights of individuals.

Storing and accessing data

Ellington Parish Council recognises its responsibility to be open with people when taking personal details from them. This means that Councillors and staff 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 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 the person's permission.

As data controller, the Parish Council will:

- ensure personal data is collected in a fair and lawful way;

• ensure that personal information is up to date and accurate – once it is not needed any more, is out of date or has served its use and falls outside the minimum retention time of the Council's document retention policy, personal information will be destroyed or securely deleted;
• ensure that personal information is kept secure;
• ensure the rights people have in relation to their personal data can be exercised;
• ensure that anyone wanting to make enquiries about handling personal information knows what to do;
• not use personal information without the consent of the individual.

Any unauthorised disclosure of personal data to a third party by an employee or Councillor may result in a disciplinary procedure being started or the matter being referred to the Monitoring Officer. Any unauthorised disclosure made by a Contractor may result in the termination of contract.

Anyone whose personal information is processed by the Parish Council has the right to know:

• what information is held;
• why the information is being held;
• who has seen the information;
• how to gain access to this information;
• how to keep it up to date;
• what is being done to comply with the GDPR.

Anyone whose personal information is processed by the Parish Council also has the right to prevent processing of their personal data in some circumstances and the right to correct, rectify or erase information that is wrong. Individuals have a right under the GDPR to access certain personal data being kept about them. Anyone wishing to do so should contact the Parish Clerk.

The Parish Council will aim to comply with requests for access to personal information as soon as possible, but will ensure it is provided within one calendar month of receiving the written request as required by the GDPR. This policy will be reviewed at intervals to ensure that it remains up to date and compliant with the law.

Disclosure of personal information

If a Parish Councillor needs to access information to help carry out their duties, this is acceptable and the Parish Clerk may provide names and addresses. They will only be given as much information as necessary and it should only be used for that specific purpose. Data should never be used for political reasons unless the data subjects have consented.

Confidentiality

Ellington Parish Council Councillors 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.

Procedure in the event of a data breach

1. Isolate the affected computer (e.g. disconnect it from the internet, switch off the router and/or disable the Wi-Fi connection).
2. Inform the Clerk, other Councillors and, if necessary, the ICO* immediately by telephone or text message.
3. Inform interested parties who may have been affected.
4. Any parties who may have been affected should consider changing their passwords immediately.
5. Analyse the breach – external help may be required – and report.
6. Debrief at the next PC meeting, and decide on any necessary actions or policy reviews.
7. In the event of loss or theft of a device containing personal data inform the Clerk, other Councillors, the DPO and, if necessary, the ICO* immediately by telephone or text message.

* The Data Controller has an obligation to inform the ICO within 72 hours if the personal data breach is likely to result in a risk to the rights and freedoms of an individual.