

RETTENDON PARISH COUNCIL



DATA PROTECTION POLICY

The Council recognises its responsibility to comply with the Data Protection Act 1998 and the General Data Protection Regulations 2018. The Act regulates the use of personal data.

Data Protection Act

The Act sets 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 Act applies to anyone holding personal information about people, electronically or on paper.

General Data Protection Regulations

The General Data Protection Regulations 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 the Council has a number of procedures in place to ensure that it complies with The Data Protection Act 1998 and the General Data Protection Regulations 2018 when holding personal information. The Clerk is responsible for ensuring compliance with the Regulations and advising the Council accordingly, and has received training for this role, as required.

When dealing with personal data, the Clerk and Councillors must ensure that:

- **Data is processed fairly and lawfully**

Personal information should only be collected from individuals if the Clerk and Councillors have been open and honest about why they want the personal information.

- **Data is processed for specified purposes only**

The information gained must only be held, used and disclosed for the purpose for which it was obtained.

- **Data is relevant to what it is needed for**

Information will be monitored so that too much or too little is not kept; only information that is needed should be held.

- **Data is accurate and kept up to date**

Personal Information should be accurate, if it is not it should be corrected

- **Data is not kept longer than it is needed**

Information 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**

Only officers and Councillors can access the information. It cannot be accessed by members of the public.

Collecting Data

The Council recognises its responsibility to be open with people when taking personal details from them. This means that the Clerk 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 the Clerk or a member of Council, this will only be used for the purpose it has been given and will not be disclosed to anyone else.

Storing and accessing data

All information is stored in locked cabinets at the home of the Clerk. All information stored on the Clerk's 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 Council's document retention policy, it must be shredded or securely deleted from the computer. The Council is aware that people have the right to access any personal information that is held about them. If a person makes a subject access request to see any data that is being held about them, the Council must send them a copy of all of the personal information held about them within 40 days of the request. A fee of £10 will be charged to cover administration, photocopying and postage charges. The requester must prove that they are the individual about whom the information has been requested, by way of photographic identification.

Disclosure of personal information

A Councillor may have access to Personal Information to help carry out their duties. This access will be limited to information which is necessary for the purpose and information should only be used for that specific purpose. Information must not be used for political reasons unless the individual has consented.

Personal Information can be disclosed to third parties if that disclosure is in accordance with the exemptions under the Data Protection Act. The Clerk will not disclose Personal Information held unless s/he is satisfied that an exemption has been established.

Confidentiality

The Council's Clerk and Councillors must be aware that when complaints or queries are made, these must remain confidential unless the individual gives permission otherwise. When handling personal data, this must also remain confidential. If a data breach is identified, the ICO (information Commissioner's Office) must be informed and an investigation will be conducted.

Review

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

RPC Data Protection Policy Approved by Full Council on 29th May 2018

Signed..... Chairman

Minute No.