

TIBBERTON PARISH COUNCIL

DATA PROTECTION POLICY

Tibberton Parish Council recognises its responsibility to comply with the 2018 General Data Protection Regulation (GDPR) which retains the existing legal principles of the 1998 Data Protection Act and adds some additional protections as to how personal data and sensitive personal data can be used.

THE DATA PROTECTION ACT

The Data Protection Act 1998 set out the expected standards for the handling of personal information and for protecting individuals' rights to privacy. It also regulated 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 Tibberton Parish Council has several procedures in place to ensure it complies with the GDPR when holding personal information.

When dealing with personal data, Tibberton Parish Council staff and Councillors must ensure that: -

<ul style="list-style-type: none">• IT IS PROCESSED FAIRLY AND LAWFULLY	This means that information should only be collected from individuals if staff and councillors have been open and honest about why they want the information.
<ul style="list-style-type: none">• IT IS PROCESSED ONLY FOR SPECIFIED PURPOSES	It is relevant to the reason for which it was acquired. Data will be monitored so that too much or too little is not kept; only data that is needed should be held.
<ul style="list-style-type: none">• IT IS ACCURATE AND KEPT UP TO DATE	Personal data should be accurate, if it is not accurate it must be corrected.
<ul style="list-style-type: none">• IT IS NOT KEPT FOR LONGER THAN IT IS NEEDED	This means data will be retained only for as long as it is relevant.
<ul style="list-style-type: none">• IT IS PROCESSED IN ACCORDANCE WITH THE RIGHTS OF THE INDIVIDUALS	This means that should individuals request it, they must be informed of all the information the council holds about them.
<ul style="list-style-type: none">• IT IS KEPT SECURELY	This means that only staff and, where appropriate, councillors can access the data. It must be stored securely to ensure it cannot be accessed by any unauthorised party.

COLLECTING DATA. Tibberton Parish Council recognises its responsibility to be open with people when taking personal details from them. This means 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 Tibberton Parish Council, this will only be used for the purpose it has been given and will not be disclosed to anyone else. The Tibberton Parish Council webpage contains a privacy statement about how the data will be stored and used.

STORING AND ACCESSING DATA. Tibberton Parish Council may hold information about individuals such as their addresses and telephone numbers. The data is kept in a secure location and is 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.

People have the right to access any information that is held about them. If a person asks the Parish Council to see any data that is held about them, they must be sent all of the information the council holds. There must be explanation for why it has been stored. There must be a list of who has seen it and it must be sent to the requestor within one month. Requests that are manifestly unfounded, excessive, or repetitive may be refused or a charge made. If a request is refused, a reason must be given.

Individuals have the right to have their personal data rectified if it is inaccurate or incomplete. Individuals have the right to request the removal or erasure of their personal data. Tibberton Parish Council will comply with such requests in accordance with GDPR.

DISCLOSURE OF INFORMATION. It is acceptable for an elected member of the council to access information, if needed to help carry out their duties. 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 impeding pedestrian access, 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 will need consent from the Parish Clerk. Data will never be used for political reasons.

CHILDREN. There is special protection for the personal data of a child. The age a child can give their own consent is 13. If the council requires consent from young people under 13, the council must obtain a parent or guardian's consent in order to process the personal data lawfully. Consent forms for children aged 13 plus, must be written in language they will understand.

CONFIDENTIALITY. Tibberton Parish Council staff and councillors 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 personal data breach is identified that meets the reporting criteria, the Parish Council must inform the ICO within 72 hours and an investigation will be conducted.

All employees, volunteers and councillors are expected to comply with this policy at all times to protect privacy, confidentiality and the interests of the Council.

Policy review date: