

# Wortwell Parish Council

## Data Protection Policy

**Adopted: 27.2.18**

**Review date: 27.2.19**

**Objective:** The Data Protection Act 1998 sets out the standard 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 Data Protection Act applies to anyone holding personal information about people electronically or on paper. Wortwell Parish Council recognises its responsibility to comply with the Data Protection Act 1998. The act regulates the use of personal data. This does not have to be sensitive data; it can be as little as a name and address.

### Policy

**1.1 Procedures:** Wortwell Parish Council is careful to ensure that it complies with The Data Protection Act 1998 when holding personal information. Wortwell Parish Council has also notified the Information Commissioner that it holds personal data about individuals. When dealing with personal data, Wortwell Parish Council [Councillors and Clerk] must ensure that:

- Data is processed fairly and lawfully: meaning that personal information should only be collected from individuals in an open and honest manner
- That data is processed for specified purposes only and is relevant to what it is needed for with unnecessary data being securely destroyed
- Data is accurate and kept up to date
- Data is processed in accordance with the rights of individuals;
- Data is kept securely and in a manner such that it cannot be accessed by the public.

**1.2 Storage:** The Parish Council may hold personal information about individuals such as their addresses and telephone numbers. This information will be kept in a secure location at the office of the Council and is not available for public access. All electronic data stored by the Parish Council is password protected. Once data is not needed anymore, if it is out of date or has served its use, it will be deleted or disposed of securely.

**1.3 Access:** Wortwell Parish Council is aware that people have the right to access any personal information that is held about them. Where 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 within 40 days;
- They must be provided with an explanation for why it has been stored and with details of who has that data.

- 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 from time to time. Currently this fee must not exceed £10.

**1.4 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. However, before they access any sensitive personal 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.

**1.5 Reporting on requests:** The Parish Council maintains a Disclosure Log which will be reported annually. The Log will include how many requests for information have been received under which item of legislation (DPA, FOI or EIR), whether the statutory response timescales have been complied with and the sector the request had come from (business, local MPs, members of the public within the district, or members of the public outside the district).

**1.6 Confidentiality:** Wortwell Parish Council [Councillors and Clerk] 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.

## **General**

**2.1 Complaints:** Complaints made under this policy should be referred to the Clerk as identified under the Council's Complaints Policy.