

# **Wortwell Parish Council**

## **Data Protection & Information Security Policy**

**Adopted: 5.6.18**

**Review date: 5.6.19**

### **Objective**

Wortwell Parish Council recognises its responsibility to comply with the Data Protection Act 1998 and the General Data Protection Regulation. The act and regulation regulate the use of personal data, this does not have to be sensitive data, it can be as little as a name and address.

#### **THE DATA PROTECTION ACT:**

The Data Protection Act 1998 sets out high standards for the handling of personal information and protecting individuals' rights for privacy. It also regulates 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.

### **Policy**

#### **1.1 Procedures:**

As a local authority Wortwell Parish Council has a number of procedures in place to ensure that it complies with The Data Protection Act 1998 and the General Data Protection Regulation 2018 when holding personal information.

When dealing with personal data, Wortwell Parish Council staff and Councillors must ensure that the following if GDPR principles are complied with:

- Data is processed fairly and lawfully  
This means that personal information should only be collected from individuals if staff and Councillors have been open and honest about why they want the personal information.
- Data is only used for a specific processing purpose that the data subject has been made aware of and no other, without further consent.
- Data should be adequate, relevant, and limited i.e. only the minimum amount of data should be kept for specific processing.

- Data must be accurate and kept up to date where necessary
- Data should not be stored for longer than is necessary, and that storage is safe and secure
- Data should be processed in a manner that ensures appropriate security and protection

## **1.2 Sensitive Data**

The Regulation requires 'sensitive data' to be treated differently. Categories of sensitive data include racial or ethnic origins, political opinions, religious beliefs, health issues. The Parish Council does not collect such data.

Where the Council carries out village wide surveys, the responses are anonymous and questions are not generally asked on a topic that is classified as sensitive.

## **1.3 Storing and Accessing Data**

Wortwell Parish 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 personal information.

Wortwell Parish Council may hold personal information about individuals such as their addresses and telephone numbers. These will be securely kept by Wortwell Parish Clerk and Councillors who must ensure that details are not available for public access. All data stored on Wortwell Parish Council computers 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, it will be shredded or securely deleted from the computer, as is applicable.

Wortwell 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 an explanation for why it has been stored
- There must be a list of who has seen it
- It must be sent within 40 days

Under the GDPR, these rights are explicit and no longer require a fee. In addition, there is a right to have personal data extracted in an electronic portable format that will allow switching between different service providers, There are new rights to erase data too (if it is no longer needed).

## **1.4 Confidentiality**

Wortwell Parish Council 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. If a data breach is identified the ICO must be informed and an investigation will be conducted.

### **1.5 Disclosure of Information**

If an elected member of the council, for example a councillor needs to access information to help carry out their duties, this is acceptable. 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 in a garden, a councillor may access an address and telephone number of the person who has made the complaint so they can help with the enquiry. They can only do this providing they represent the area that the subject lives in. 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.

### **General**

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

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