

SEBERGHAM PARISH COUNCIL

Clerk: Rachael Kelly, 29 Greystoke Park Avenue, Penrith, Cumbria, CA11 9DB. Tel: 01768 863900;
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Data Protection Policy

1 INTRODUCTION

Sebergham Parish Council ("the Council") recognises its responsibility to comply with the 2018 General Data Protection Regulation and the Data Protection Act 2018. These lay down principles about how personal data and sensitive personal data can be used.

2 THE DATA PROTECTION ACT

The Data Protection Act 1998 set out high standards for the handling of personal information and protecting individuals' rights for privacy. It also regulated how information can be collected, handled and used. The Act applied to anyone holding information about people electronically or on paper. Following the introduction of the General Data Protection Regulation in 2018, the original Act was replaced by the Data Protection Act 2018.

3 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
- easily accessible
- written in clear and plain language (particularly if addressed to a child)
- free of charge.

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

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

- 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.
- It is processed for specified purposes only.
- It is relevant to what it is needed for. Data will be monitored so that too much or too little is not kept; only data that is needed should be held.
- It is accurate and kept up to date. Personal data should be accurate, if it is not, it should be corrected.
- It is not kept longer than it is needed.

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- It is processed in accordance with the rights of individuals. This means that individuals must be informed, upon request, of all the information held about them.
- It is kept securely. This means that only staff and councillors can access the data. It should be stored securely so it cannot be accessed by members of the public.

4 COLLECTING DATA

The Council recognises its responsibility to be open with people when taking personal details from them. This means that 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 the Council, this will only be used for the purpose for which it has been given and will not be disclosed to anyone else. Data may be collected via the Council's website via the 'Contact Us' form. The 'Contact Us' webpage contains a privacy statement about how the data will be stored and used.

5 STORING AND ACCESSING DATA

The Council may hold information about individuals, such as their addresses and telephone numbers. These are kept in a secure location at the Parish Clerk's place of residence and are not available for the public to access. All data stored on a computer is password protected. Once data is not needed anymore or if it is out of date or has served its use, it will be shredded or deleted from the computer.

The Council is aware that people have the right to access any information that is held about them. If a person requests to see any data that is being held about them, then the following must be applied.

- They must be sent all of the 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 one month.
- Requests that are manifestly unfounded or excessive may be refused or a charge made.
- If a request is refused, a reason must be given.
- If an individual requests that their data is rectified or erased, this will be carried out.

6 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. 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.

7 CONFIDENTIALITY

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The 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 within 72 hours and an investigation will be conducted.

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

Approved: May 2020

Review: May 2021