

Crosby Ravensworth Parish Council

Data Protection Policy

Introduction

Crosby Ravensworth Parish Council (the Council) is fully committed to compliance with the requirements of the Data Protection Act 2018 (the Act), which came into force on the 25th May 2018

The Council will therefore follow procedures that aim to ensure that the Clerk, elected members, contractors, agents, consultants, partners or other servants of the Council who have access to any personal data held by or on behalf of the Council are fully aware of and abide by their duties and responsibilities under the Act

Statement of Policy

In order to operate efficiently, the Council has to collect and use information about people with whom it works. These may include members of the public, current, past and prospective employees, clients and customers, and suppliers, in addition, it may be required by law to collect and use information in order to comply with the requirements of central government. This personal information must be handled and dealt with properly, however it is collected, recorded and used, any whether it be on paper, in computer records or recorded by any other means, there are safeguards within the Act to ensure this. The Council regards the lawful and correct treatment of personal information as very important to its successful operations and to maintaining confidence between the council and those with whom it carries out business. The council will ensure that it treats personal information lawfully and correctly. To this end the Council fully endorses and adheres to the Principles of Data Protection as set out in the Data Protection Act 2018.

Principles of Data Protection

The Act stipulates that anyone processing personal data must comply with eight principles of good practice. These principles are legally enforceable.

1. **Fair** explain why these details are needed.
2. **Specific for intended purpose** – data can only be used for intended purpose and not be transferred or duplicated
3. **Minimum data requirement** – only relevant and specific data should be requested

4. **Accurate** – periodically reviewed and kept up to date
5. **Retention time** – in theory data can be kept indefinitely unless the owner of the data requests otherwise. However it is good practice to periodically review what data is being retained, why, and data appropriately deleted when no longer needed.
6. **The right to be forgotten** – see section on individual's rights
7. **Data security** – consideration of how data is stored in different formats. Also how data is disposed of.
8. **Accountability** – to demonstrate that the Data Controller is implementing their legal duties

As well as general data such as name, address etc there is sensitive data. This type of data has special protection in law. This includes

- Race
- Ethnic background
- Political opinions
- Religious beliefs
- Trade union membership
- Genetics
- Biometrics
- Health
- Sexual orientation

Individual's Rights

Individuals have the rights under the law

- To be informed how their data is used
- To access their personal data
- To have incorrect data updated
- To have data erased (the right to be forgotten)
- To stop the processing of their data
- To object to how their data is processed
- To object to automated decision making
- To profiling

Responsibilities of the Council

- To have a Data Protection Policy
- To review and adopt the policy annually prior to notification to the Information Commissioner
- The Clerk will be the Data Controller and is responsible for ensuring adherence with the Act

- The Clerk will register the Council with the Information Commissioner and pay the appropriate fee on an annual basis. This is a legal requirement
- Any changes to the register must be notified to the Information Commissioner within 28 days
- Personal data stored in an electronic form will be password protected
- The Clerk and the Chairman will hold copies of the password
- Personal data held in a written form will be kept in a secure and locked location.
- The Clerk and the Chairman will hold keys to access the secure location
- Data will be reviewed annually and unnecessary data will be deleted or shredded.

Date originally adopted

Date reviewed (annually)

Associated Policy – Freedom of Information Policy

Links for the Information Commissioner’s Office, to the Data Protection Act 2018, and to the Freedom of Information Act 2000

<https://ico.org.uk/for-organisations/data-protection-fee/self-assessment/>

<https://www.gov.uk/data-protection>

<https://www.legislation.gov.uk/ukpga/2000/36/contents>