



Data Protection

Version number:	3	Author:	Clerk
Date adopted:	16/10/2017	Signatory:	Chair
Date this version approved by Council:	28/01/2019	Review due:	28/01/2019

1. Purpose

During the execution of its activities, Speen Parish Council may collect personal data e.g. names, addresses, telephone numbers and email addresses of employees, Councillors, contractors and parishioners.

The purpose of this policy is to:

- Recognise the legal framework and responsibility to comply with the General Data Protection Regulation which regulates the use of personal data.
- Outline the SPC's attitude & commitment to Data Protection
- Identify responsibilities and arrangements to reduce the data protection risks associated with Council operations

2. Statement & purpose:

The General Data Protection Regulation was approved and adopted by the EU Parliament in April 2016. The regulation took effect after a two-year transition period and, unlike a Directive, did not require any legislation to be passed by government. GDPR came into force on 25th May 2018.

The General Data Protection Regulation applies to 'personal data', meaning any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier. This definition provides for a wide range of personal identifiers to constitute personal data, including name, identification number, location data or online identifier, reflecting changes in technology and the way organisations collect information about people.

SPC is registered annually with the Information Commissioner's Office.

SPC recognises and accepts its responsibilities under the General Data Protection Regulation to protect personal data for all its employees, contractors, voluntary helpers, the public and others who may be affected by the activities of the Council and will provide as far as is reasonably practicable, any resources necessary to fulfil this commitment.

3. Scope:

- 3.1 The scope of this policy is the handling of personal data accessed during the operations of SPC.
- 3.2 This policy should be read in conjunction with the SPC Risk Management Policy, Electronic Communications Policy and Freedom of Information Policy.
- 3.3 This policy confirms that SPC will continue to work to this policy for the forthcoming year until the next review date, unless amendments should be required in the meantime.

4. Responsibilities:

- 4.1 All members are individually and equally responsible for their own activities regarding data protection.
- 4.2 As an employer, the Council is responsible for ensuring that the Clerk has appropriate training, skills and knowledge to discharge the duties of data protection correctly. The Council will seek



as and when appropriate, expert technical advice on the General Data Protection Regulation to assist the Clerk in fulfilling the Council's responsibilities.

- 4.3 This policy is fully supported by all Members of the council. It confirms that all SPC Members are aware of the General Data Protection Regulation and are committed to discharging their responsibilities appropriately.

5. Procedure:

5.1 Storing and accessing data

SPC recognises its responsibility to be open with people when taking personal details from them. This means that Councillors and staff must be honest about why they want a particular piece of personal information. If, for example, a member of the public gives their phone number to staff or a member of SPC, this should only be used for the purpose it has been given and should not be disclosed to anyone else without the person's permission.

Councillors, or others associated with the Council, should never access or use personal data for political reasons unless the data subjects have consented.

SPC may hold personal information about individuals such as their addresses and telephone numbers. Information about individuals will be securely kept and are not available for public access. Once data is not needed any more, is out of date or has served its use and falls outside the minimum retention time of Council's document retention policy, it should be shredded or securely deleted from the computer.

SPC is aware that people have the right to access any personal information that is held about them and this should be sent within one calendar month of receipt of the request.

5.2 Disclosure of personal 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 should be able only to access as much information as necessary and it should only be used for that specific purpose. If, for instance, a Speen parishioner has made a complaint about over hanging bushes in a garden, a Councillor may seek to access an address and telephone number of the person who has made the complaint so they can help with the enquiry.

5.3 Confidentiality

SPC Councillors and 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.

Useful resources & contacts

- <https://ico.org.uk/for-organisations/guide-to-data-protection/>
- National Association of Local Councils (NALC)
- Berkshire Association of Local Councils (BALC)

5: Authorisation of Policy on behalf of Full Council:

The undersigned approves this policy on behalf of Speen Parish Council.

Signature:

Name (print):

Position:

Date: ____/____/____



Appendix 1 The General Data Protection Regulation

The General Data Protection Regulation sets out high standards 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 General Data Protection Regulation applies to anyone holding personal information about people, electronically or on paper.

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

When dealing with personal data, by law SPC staff and Councillors must ensure that:

- **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 processed for specified purposes only**
- **Data 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.
- **Data is accurate and kept up to date**
Personal data should be accurate, if it is not it should be corrected.
- **Data is not kept longer than it is needed**
Data no longer needed will be shredded or securely disposed.
- **Data is processed in accordance with the rights of individuals**
Individuals must be informed, upon request, of all the personal information held about them.
- **Data is kept securely**
Only staff and Councillors can access the data. It cannot be accessed by members of the public.