

# SKELSMERGH & SCALTHWAITERIGG PARISH COUNCIL

## DATA PROTECTION POLICY

Adopted by the Council on 23.05.2018; Revision date May 2019

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Skelsmergh and Scalthwaiterigg (S&S) Parish Council recognises its responsibility to comply with the Data Protection Act 1998 and the General Data Protection Regulation. The act and regulation apply to 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.

As a local authority S&S 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 in holding personal information.

When dealing with personal data, S&S Parish Council Clerk and Councillors will ensure that:

- **IT IS PROCESSED FAIRLY AND LAWFULLY** This means that information will only be collected from individuals if the Clerk 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 will be held.
- **IT IS ACCURATE AND KEPT UP TO DATE** Personal data is accurate, if it is not it will be corrected.
- **IT IS NOT KEPT LONGER THAN IT IS NEEDED**
- **IT IS PROCESSED IN ACCORDANCE WITH THE RIGHTS OF INDIVIDUALS** This means that individuals will be informed, upon request, of all the information held about them.
- **IT IS KEPT SECURELY** This means that only the Clerk and Councillors can access the data, it will be stored securely so it cannot be accessed by members of the public.

### **COLLECTING DATA**

S&S Parish Council recognises its responsibility to be open with people when taking personal details from them. This means that Clerk/Councillors will be honest about why they want a particular piece of information. If, for example, a member of the public gives their phone number this will only be used for the purpose that it has been given for and will not be disclosed to anyone else. Data may be collected via the Parish Council's website via the 'Contact Us' form. **The contact us webpage contains a policy statement about how the data will be stored and used.**

### **STORING AND ACCESSING DATA**

S&S Parish 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, if it is out of date or has served its use, it will be shredded or deleted from the computer.

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The Parish 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,

- They will be sent all of the information that is being held about them
- There will be explanation for why it has been stored
- There will be a list of who has seen it
- It will 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 will be given.

If an individual requests that their data is rectified or erased, this will be carried out.

#### **DISCLOSURE OF INFORMATION**

If the Clerk or 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 will be only 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 will never be used for political reasons unless the data subjects have consented.

#### **CONFIDENTIALITY**

S&S Parish Council are aware that when complaints or queries are made, the complainant's personal details need to remain confidential unless the subject gives permission otherwise. When handling personal data, this also needs to remain confidential.

If a data breach is identified the ICO will be informed 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.