

LITTLE MILTON PARISH COUNCIL DATA PROTECTION POLICY

The Data Protection Act and General Data Protection Regulations

The Data Protection Act 1998, to be superseded by the General Data Protection Regulations (GDPR) 2018 set out high standards for the handling of personal information and protecting individuals' rights for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 Data Protection Act and now the GDPR apply to anyone holding personal information about people electronically or on paper.

As a local government authority, Little Milton Parish Council has a number of procedures in place to ensure that it complies with current legislation concerning personal information. The Parish Council has also notified the Information Commissioner that it holds personal data about individuals.

When dealing with personal data, the Little Milton Parish Council Clerk 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 will not be kept longer than it is needed for its original purpose or anticipated needs

Data is processed in accordance with the rights of individuals

This means that individuals must be informed, upon request, of all the personal information held about them.

Data 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.

Lawful Basis for Processing Personal Data

There are six available lawful bases for processing personal data. The Parish Council has reviewed the data held and determined the lawful basis upon which it is held and the purpose for which it is held. See Annex A.

Storing and accessing data

Little Milton Parish Council recognises its responsibility to be open with people when taking personal details from them. This means that councillors and Clerk 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 the Clerk or a member of Little Milton Parish Council, this will only be used for the purpose it has been given and will not be disclosed to anyone else.

Little Milton Parish Council may hold personal information about individuals such as their addresses and telephone numbers. These will be kept in a secure location at the home of the Parish Clerk and are not available for public access. All such data stored on the clerk's 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 burned or deleted from the computer.

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

A fee to cover photocopying and postage charges will be charged to the person requesting the personal information. This fee will be agreed by the Council and amended in line with inflation from time to time. Currently this fee must not exceed £10.

Processing of Special Category Data

Certain data such as race, religion, sexual orientation is classed as Special Category data. Little Milton Parish Council has no need to hold or process such data.

Disclosure of personal information

If a Councillor needs to access personal information to help carry out their duties, this is acceptable. They are only able to access as much personal information as necessary and it should only be used for that specific purpose. If, for instance, someone has made a complaint about an over-hanging hedge, 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 personal 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.

Little Milton Parish Council does not divulge personal data for marketing or surveys.

Confidentiality

Little Milton Parish Council 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.

May 2018

ANNEX A - Lawful Basis for Processing Personal Data

| | Data | Held by | Purpose | Legal Basis | Comment |
|---|--|--|---|--------------------|---|
| 1 | Councillor names, addresses, phone nos, emails | Parish Clerk | Communication and administration of council business | Public Task | |
| 2 | Contact details for all organisations with which the parish council conducts financial business | Responsible Financial Officer | Administration of council finances | Public Task | |
| 3 | Contact details for people who communicate with the parish council, including other village, district and county organisations | Parish Clerk, Chairman and Councillors | Smooth running of council business | Public Task | Mix of personal and business contact details |
| 4 | Contact details for advertisers in newsletter | Editor of newsletter and Parish Clerk | Administration of advertising contracts | Contract | Mainly business contact details |
| 5 | Local landowners names and addresses | Chairman, NPSG | Communication and consultation regarding Neighbourhood Plan | Legal obligation | Neighbourhood Plan Regulations Section 14. Open source information from Land Registry |
| 6 | Local riparian landowners names and addresses | Chairman | Communication with riparian landowners | Public Task | Open source information from Land Registry |
| 7 | Statutory Consultees contact details | Chairman, NPSG | Communication and consultation regarding Neighbourhood Plan | Legal obligation | Neighbourhood Plan Regulations Section 14. Mainly business contact details |

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|----|--------------------------------|--------------------------|--|-------------|---|
| 8 | Job applications | Selection committee | Conduct of staff recruitment | Contract | Data no longer required to be destroyed |
| 9 | Planning Applications | Parish Clerk | Parish Council review of all applications | Public Task | Open source data |
| 10 | Electoral Register | Parish Clerk | Record of all eligible electors in the parish | Public Task | |
| 11 | Newsletter mailing list | Editor of the Newsletter | To allow mailing to a few addressees outside the village | Consent | |
| 12 | AED location owners | Parish Clerk | For AED contracts | Contract | |
| 13 | Maintenance contractor details | Parish Clerk | To allow setting up of maintenance contracts | Contract | Mainly business contact details |