

# BARDON MILL PARISH COUNCIL

## GENERAL DATA PROTECTION REGULATIONS – SUMMARY

The new regulations come into effect on 25<sup>th</sup> May 2018. At this point in time all councils must appoint a Data Protection Officer who is not the clerk. However, there is an amended bill being put to parliament to say that small Town and Parish Councils will NOT have to appoint a DPO. Stephen Rickitt is keeping parish councils posted on a regular basis.

In the meantime, the advise is to begin the data evaluation by working through an action plan and getting privacy notices and policies approved. Councillors are advised to undergo some training which reading and approving the following will go towards.

### •What Data is covered?

The GDPR applies to data from which a living individual is identified or is identifiable (by anyone), whether directly or indirectly. For example – addresses, emails, phone numbers, NI numbers.

### •The Six Principles

1. Must be processed lawfully, fairly and transparently.
2. Is only used for a *specific processing purpose* that the data subject has been made aware of and no other, without further consent.
3. Should be *adequate, relevant and limited i.e.* only the minimum amount of data should be kept for specific processing.
4. Must be *accurate* and where necessary *kept up to date.*
5. Should *not be stored for longer than is necessary*, and that storage is safe and secure.
6. Should be processed in a manner that ensures *appropriate security and protection.*

### •Data covered by Bardon Mill

As with most other small councils Bardon Mill does not hold data about its residents for mailing lists etc. Data is held for employment reasons and consent is not required from the employee for this. Data such as this should be kept for the legal timescale. Data about Councillors will be held such as names, addresses, phone numbers, emails and pictures. Again, a consent form is not needed for Councillors. However, both employees and Councillors should receive a privacy notice. There are two types of notice (which, once approved, can go on the website). One is a general notice and the other for staff and councillors.

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### •Action Plan:

1. Complete a sample data audit questionnaire to highlight areas of concern and for record keeping purposes. *Completed 24 April 2018.*
2. Issue Privacy Notices to concerned individuals and place on website. *Draft copies to approve.*
3. Have a SAR Policy – Subject Access Request. *Draft copy to approve*

### •How to be Aware with Data –

1. Make it common practice to NOT include any resident's names on the agenda or minutes of the meetings.
2. Should an email be received by the clerk, when it is forwarded, the email address and other such information should be removed. This only applies to individuals not someone working for a company.
3. Routinely 'tidy up' email accounts and delete emails that are finished with.
4. Have a Retention and Disposal of Documents policy so data is securely stored and disposed of – *Draft copy to approve.*
5. Make sure contracts with other bodies are up to date and that they are following correct procedure.

### •Responding to a Request

The above mentioned SAR policy should have a nominated person to deal with requests. If a request is received by someone else it must be passed to the nominated person as soon as possible. A request has to be responded to within a calendar month and cannot be charged. The person asking for their data must give evidence as to who they are from the list in the policy. The policy will be on the website.

### •Data Breaches

There should be a policy for dealing with a data breach. It should be detected, investigated and reported. *Draft copy to approve*

#### More Information

NALC – has a Toolkit for GDPR.

[www.nalc.gov.uk](http://www.nalc.gov.uk) this site can be accessed by councillors but they need to request the password from Stephen Rickitt, [stephenrickitt@northumberlandalc.uk](mailto:stephenrickitt@northumberlandalc.uk)

Information Commissioner's Office

[www.ico.org](http://www.ico.org)