

# SHIPLEY PARISH COUNCIL DATA PROTECTION POLICY

<b>Date Policy Reviewed</b>	<b>Date Policy Adopted</b>
<b>May 2016</b>	<b>16th May 2016</b>
<b>May 2017</b>	<b>18<sup>th</sup> May 2017</b>
<b>May 2018</b>	<b>17<sup>th</sup> May 2018</b>
<b>May 2019</b>	<b>16<sup>th</sup> May 2019</b>
<b>Sept 2020</b>	<b>3<sup>rd</sup> Sept 2020</b>
<b>May 2021</b>	<b>6<sup>th</sup> May 2021</b>
<b>May 2022</b>	<b>12th May 2022</b>
<b>May 2023</b>	<b>18th May 2023</b>

One of the Council's roles is to encourage community involvement and participation; publication of some personal information is integral to this aim. At the same time, such publication must minimise any potential negative impact on individuals, e.g. intrusive marketing or identity theft.

The Council is bound by law to abide by the provisions of the Data Protection Act 1998. The eight principles of the act are given at the end of this Policy along with a link to the full online definition of the Act.

It should be noted that any individual has the right to make a complaint to the Information Commissioner and that any upheld complaint against the Council could result in a fine.

The simplest way of ensuring compliance is to adopt a simple set of over-arching principles, since individuals acting for the Council may not be familiar with the full Act. The following principles apply:

### **Principle 1: Permission**

The Council will not gather or publish any personal data unless the purpose of the data is made clear to, and permission has been obtained from, the data owner.

### **Principle 2: Single Use**

Any personal data gathered as above will not be used for any purpose other than that stated when it was obtained. For example, if the Council gathers personal data for a paper publication it may not subsequently publish that data on the internet, and vice versa.

### **Principle 3: Protection of Electronic Data**

The Council will ensure the safe keeping of any electronic files containing personal data and will not release those files to any external party except for the purpose of printing or publication. The Council will require that any files thus released are deleted after use. As further protection avoid presenting long lists of personal data. In general, contact information should be "dotted around" and presented in the context of other information. This is because there are always people who will use data from the internet for purposes other than that intended. An example would be gathering contact lists for onward sale; in this case, understanding the demographic or locality of contacts makes them more valuable. The way data is presented online may deter such misuse.

### **The Data Protection Act 1998**

For full information see:

[http://www.ico.gov.uk/for\\_organisations/data\\_protection.aspx](http://www.ico.gov.uk/for_organisations/data_protection.aspx)

The following are the eight principles of the Act reproduced from UK Government web site above:

1. Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless: (a) at least one of the conditions in Schedule 2 is met, and (b) in the case of sensitive personal data, at least one of the conditions in Schedule 3 is also met.
2. Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
3. Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
4. Personal data shall be accurate and, where necessary, kept up to date.
5. Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
6. Personal data shall be processed in accordance with the rights of data subjects under the Act.
7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
8. Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

### **The General Data Protection Regulations 2018**

Shingley Parish Council fully endorse and will comply with these regulations. Separate policies and procedures address the GDPR requirements.