



Hartshill Parish Council
Data Protection Policy Adopted Ref 110519

**Hartshill Parish Council
Data Protection Policy**

**HARTSHILL PARISH COUNCIL
Data Protection Policy & Information Security Policy**

The Data Protection Policy

Hartshill Parish Council recognises its responsibility to comply with the Data Protection Act 1998. The act regulates 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 personal information can be collected, handled and used. The Data Protection Act applies to anyone holding personal information about people, electronically or on paper.

As a local authority, Hartshill Parish Council has a number of procedures in place to ensure that it complies with The Data Protection Act 1998 when holding personal information. The Parish Council has also notified the Information Commissioner that it holds personal data about individuals.

When dealing with personal data, Hartshill Parish Council 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 of.

Data is processed in accordance with the rights of individuals

Individuals must be informed, upon request, of all the personal information held



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about them.

Data is kept securely

Only staff and Councillors can access the data. It cannot be accessed by members of the public.

Storing and accessing data

Hartshill Parish Council 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 Hartshill Parish Council, this will only be used for the purpose it has been given and will not be disclosed to anyone else without the person's permission.

Hartshill Parish Council may hold personal information about individuals such as their addresses and telephone numbers. These will be securely kept at the Parish Office and are not available for public access. All data stored on the Parish Office computers are password protected. 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 will be shredded or securely 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 an 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 Parish Council and amended in line with inflation from time to time.

Disclosure of personal information

If a member of the council, for example a 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 should only be 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. A councillor may 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 should never be used for political reasons unless the data subjects have consented.

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Confidentiality

Hartshill Parish Council Councillors, staff/volunteers 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.

Reference: Data Protection Act 2018

Assertion 10 - Digital and data compliance

(Assertion 10 added to clarify data compliance, previously covered under Assertion 3)

1.47 Email management – The Council must have a generic email account hosted on an authority owned domain, for example clerk@abcparishcouncil.gov.uk or clerk@abcparishcouncil.org.uk rather than abcparishclerk@gmail.com or abcparishclerk@outlook.com for example. – clerk@hartshill-pc.gov.uk

1.48 All smaller authorities (excluding parish meetings) must meet legal requirements for all existing websites regardless of what domain is being used.

1.49 All websites must meet the Web Content Accessibility Guidelines 2.2 AA and the Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018 (where applicable).

1.50 All websites must include published documentation as specified in the Freedom of Information Act 2000 and the Transparency code for smaller authorities (where applicable).

1.51 All smaller authorities, including parish meetings, must follow both the General Data Protection Regulation (GDPR) 2016 and the Data Protection Act (DPA) 2018.

1.52 All smaller authorities, including parish meetings, must process personal data with care and in line with the principles of data protection.

1.53 The DPA 2018 supplements the GDPR and classifies an authority as both a Data Controller and a Data Processor.

1.54 All smaller authorities (excluding parish meetings) must also have an IT policy. This explains how everyone - clerks, members and other staff - should conduct authority business in a secure and legal way when using IT equipment and software. This relates to the use of authority-owned and personal equipment.

Approval process

1.55 The authority needs to approve the annual governance statement by resolution of members of the authority meeting as a whole and in advance of the authority approving the accounting statements in Section 2 of the Annual Governance and Accountability Return. The Chair of the meeting and the Clerk need to sign and date the annual governance statement and enter a minute reference.

18. History – Reviewed 2014, 2016, 2017, 2019

Ref: 051119

Next Review Due 2023