

HELSEINGTON PARISH COUNCIL

DATA PROTECTION POLICY

Background

The General Data Protection Regulation (GDPR) takes effect in the UK from 25 May 2018 and replaces the existing law on data protection. The GDPR is more extensive in scope and application than the current legislation. Local councils as public authorities are required to comply with its requirements. Helsington Parish Council recognises its responsibility as a Data Controller to comply with the General Data Protection Regulation 2018 and is putting procedures and practices in place to ensure compliance. Helsington Parish Council is registered as a Data Controller with the Information Commissioner's Office.

GDPR principles and requirements

Personal data ('people information') should be

- a) processed lawfully, fairly and in a transparent manner,
- b) collected for specified, explicit and legitimate purposes,
- c) adequate, relevant and limited to what is necessary,
- d) accurate and where necessary kept up to date,
- e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which those data are processed, and
- f) processed in a manner that ensures appropriate security of the personal data.

Helsington Parish Council (staff and councillors) must ensure compliance with these principles and requirements when dealing with personal data.

The lawful basis for processing data

Helsington Parish Council is a public authority with statutory powers and duties. Sometimes it is necessary to process personal data in order to discharge these powers and duties. The Parish Council may also need to process personal data in respect of legal or contractual obligations. Sometimes the Parish Council may need to obtain specific consent from individuals with regard to processing data. Personal data is collected and stored for various purposes which include to enable the Parish Council to respond to inquiries, comments and correspondence, provide information and services, maintain records and accounts, process financial transactions and deal with complaints.

Collecting data

Helsington Parish Council recognises its responsibility to be open and honest with people when taking personal details from them. If, for example, a member of the public gives their phone number or email address to staff or a councillor, this will be used only for the purpose it has been given and will not be disclosed to anyone else. Data may also be collected via the Parish Council's website via the 'Contact Us' form.

Storing and accessing data

Helsington Parish Council holds information about individuals such as their addresses, email addresses and telephone numbers. Personal data is kept in a secure location at the Parish Clerk's place of work and is not available for the public to access. All data stored on a computer or phone is password protected.

Data Sharing

On occasion, Helsington Parish Council may need to share personal data with third parties, such as other public authorities or contractors. These third parties will be responsible for compliance with GDPR requirements.

Data Retention

Helsington Parish Council has a Retention of Documents Policy which includes a Retention Schedule setting out the length of time for which records are retained in accordance with legal, regulatory and administrative requirements. The Parish Council endeavours to keep data only for as long as necessary. Data will be shredded or deleted when it is no longer needed or is out of date.

Data Subject Rights

Helsington Parish Council recognises that individuals have the right to access any information that is held about them. On receipt of such an access request (a 'Subject Access Request'), the Parish Council will

- a) provide all the information that is being held about them;
- b) explain the lawful basis for the data being held;
- c) explain any third parties with whom the data has been shared;
- d) correct or erase the data if requested to do so (subject to the Retention of Documents Schedule).
- e) respond within one calendar month.

Data breaches

Helsington Parish Council will investigate any data breaches and understands the requirement to report certain types of data breaches to the Information Commissioner's Office within 72 hours.

This policy will be reviewed annually, including a review of compliance and effectiveness.

Draft considered and noted: 2 May 2018

Revised Draft approved and adopted: 4 July 2018