

CALDBECK PARISH COUNCIL: DATA PROTECTION POLICY

Caldbeck Parish Council recognises its responsibility to comply with the 2018 General Data Protection Regulation. The General Data Protection Regulation retains the existing legal principles of the 1998 Data Protection Act and adds some additional protections as to how personal data and sensitive personal data can be used.

THE DATA PROTECTION ACT:

The Data Protection Act 1998 set out high standards for the handling of personal information and protecting individuals' rights for privacy. It also regulated how information can be collected, handled and used. The Data Protection Act applies to anyone holding information about people, electronically or on paper.

THE GENERAL DATA PROTECTION REGULATION:

The General Data Protection Regulation 2018 says that the information provided to people about how we process their personal data must be concise, transparent, intelligible and easily accessible, written in clear and plain language, and free of charge.

The Government has exempted Parish Councils from having to appoint a Data Protection Officer. Caldbeck Parish Council will follow recommended practice and the Clerk will be responsible for the proper management of data to ensure that it complies with the General Data Protection Regulation 2018 when holding personal information.

When dealing with personal data the Clerk and Parish Councillors must ensure that:

- IT IS PROCESSED FAIRLY AND LAWFULLY. This means that information should only be collected from individuals if staff and Councillors have been open and honest about why they want the information.
- IT IS PROCESSED FOR SPECIFIED PURPOSES ONLY.
- IT IS RELEVANT TO WHAT IT IS NEEDED AND IS NOT KEPT LONGER THAN NECESSARY. Data is monitored to ensure it is only held when needed.
- IT IS ACCURATE AND KEPT UP TO DATE. Personal data should be accurate and will be corrected if inaccurate.
- IT IS PROCESSED IN ACCORDANCE WITH THE RIGHTS OF INDIVIDUALS. This means that individuals, upon request, must be informed of all the information held about them.
- IT IS KEPT SECURELY. Only the Clerk and Parish Councillors can access the data and it is stored securely so it cannot be accessed by members of the public.

COLLECTING DATA

Caldbeck Parish Council recognises its responsibility to be open with people when taking personal details from them. If, for example, a member of the public gives their phone number to the Parish Council, this will only be used for the purpose it has been given and will not be disclosed to anyone else.

DATA HELD BY THE PARISH COUNCIL

The Parish Council holds a copy of the Electoral Roll, contacts for those providing services to the Council, for those renting allotments or other premises, and contacts of local businesses and activities for the purpose of communicating news such as details of the Annual Parish Meeting. Contact details for Parish Councillors are held and are on the website. Contact details are also published for the Clerk and the Council holds the relevant records to pay the Clerk's salary and HMRC contributions.

To be clear the Parish Council does not hold any sensitive personal data - racial or ethnic origin, political opinions, religious belief, trades union membership, physical or mental health, sexual orientation, or genetic/biometric data.

STORING AND ACCESSING DATA

Caldbeck Parish Council may hold information about individuals such as their addresses and telephone numbers. These are kept securely by the Clerk and are not available for the public to access. All data stored on a computer is password protected. Once data is not needed anymore, it will be shredded or deleted from the computer.

As part of its 2020-21 budget preparations, the Parish Council consulted parishioners on budget options. All parishioners were sent questionnaires and **260** plus questionnaires were returned. Only the Clerk had access to these completed questionnaires for analysing responses. The results reported to Parish Councillors and published on the website were all anonymised. The questionnaires and spreadsheet are held by the Clerk. Questions included asking whether parishioners would be prepared to make a financial contribution towards supporting legal costs in respect of the footpath and give an indication of the sum that might be offered. The Parish Council may at some point wish to follow up the indicative information.

Caldbeck Parish Council recognises that people have the right to access any information that is held about them and if requested the Parish Council will ensure:

- All of the information that is being held is sent
- An explanation is given for why it has been stored
- A list of who has seen it is provided
- The reply will be sent within one month
- Requests that are manifestly unfounded or excessive may be refused or a charge made.
- If a request is refused, a reason must be given.
- If an individual requests that their data is rectified or erased, this will be carried out.

DISCLOSURE OF INFORMATION

If a Parish Councillor needs to access information to help carry out their duties, 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.

CONFIDENTIALITY

The Clerk will ensure 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.

If a data breach is identified the Information Commissioner's Office must be informed within 72 hours and an investigation will be conducted.

This policy will be reviewed annually, as well as an annual review of the compliance and effectiveness of the policy.

Reviewed and approved by the Parish Council at its meeting on 22 March 2021.