

# HESSETT PARISH COUNCIL

## DATA PROTECTION POLICY

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### Introduction

Hessett 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 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, particularly if addressed to a child and free of charge.

As a local authority Hessett Parish Council has a number of procedures in place to ensure that it complies with the General Data Protection Regulation 2018 when holding personal information.

When dealing with personal data, Hessett Parish Council staff and 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, adequate and limited to what is needed.** Data will be monitored so that too much or too little is not kept; only data that is needed should be held.
- **It is accurate and necessary and kept up to date.** Personal data should be accurate, if it is not it should be corrected.
- **It is not kept longer than it is needed**
- **It is processed in accordance with the rights of individuals.** This means that individuals must be informed, upon request, of all the information held about them.
- **It is kept securely.** This means that only staff and Councillors can access the data, it should be stored securely so it cannot be accessed by members of the public.

### Collecting Data

Hessett Parish Council recognises its responsibility to be open with people when taking personal details from them. This means that staff must be honest about why they want a particular piece of information. If, for example, a member of the public gives their phone

number to staff or a member of Hessett Parish Council, this will only be used for the purpose it has been given and will not be disclosed to anyone else.

#### Storing and Accessing Data

Hessett Parish Council may hold information about individuals such as their addresses and telephone numbers. These are kept in a secure location at the Parish Clerk's place of residence and are not available for the public to access. All data stored on a computer is password protected. Once data is not needed anymore, if it is out of date or has served its use, it will be shredded or deleted from the computer.

The Parish Council is aware that people have the right to access any information that is held about them. If a person requests to see any data that is being held about them:

1. Right to be informed
  2. Right of access
  3. Right to rectification
  4. Right to erasure
  5. Right to restrict processing
  6. Right to data portability
  7. Right to withdraw consent
  8. Right to lodge a complaint with the Information Commissioner's Office.
- They must be sent all of the information that is being held about them
  - There must be explanation for why it has been stored
  - There must be a list of who has seen it
  - It must 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 an elected 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. 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.

#### Confidentiality

Hessett Parish Council staff 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.

If a data breach is identified the ICO must be informed within 72 hours and an investigation will be conducted.