

# Mollington Parish Council

## DATA PROTECTION AND INFORMATION SECURITY POLICY

### 1. The Data Protection Policy

1.1 The Parish Council recognises its responsibility to comply with the Data Protection Act 1998 and the General Data Protection Regulation 2016/679 (the "GDPR"). These regulate the use of personal data. This does not have to be sensitive data; it can be as little as a name and address.

### 2. The Data Protection Act

2.1 The Data Protection Act 1998 sets out high standards for the handling of personal information and protecting individuals' rights to 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.

2.2 The Parish Council has a number of procedures in place to ensure that it complies with The Data Protection Act 1998 when holding personal information. When dealing with personal data, Parish Council staff and Councillors must ensure that,

2.2.1 **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.

2.2.2 **Data is processed for specified purposes only**

2.2.3 **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.

2.2.4 **Data is accurate and kept up to date** - Personal data should be accurate, if it is not it should be corrected.

2.2.5 **Data is not kept longer than it is needed** - Data no longer needed should be shredded or securely disposed.

2.2.6 **Data is processed in accordance with the rights of individuals** - Individuals must be informed, upon request, of any personal information held about them.

2.2.7 **Data is kept securely** - Only the Clerk and Councillors can access the data. It cannot be accessed by members of the public.

### 3. Storing and accessing data

3.1 The Parish Council recognises its responsibility to be open with people when taking personal details from them. This means that Councillors and the Clerk 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 the Clerk or a member of the 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.

3.2 The Parish Council may hold personal information about individuals such as their addresses and telephone numbers.

3.3 Except for the main contact details for the Councillors the information about individuals will be securely kept and is not available for public access.

3.4 Once data is no longer needed, is out of date or has served its purpose and falls outside the minimum retention time of Council's document retention policy, it will be shredded or securely deleted from the computer.

3.5 The Parish Council is aware that people have the right to access any personal information that is held about them. If a person asks 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

3.6 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. For photocopying the charge will be 10p per sheet for black and white and 20p per sheet for colour. Postage will be charged at the current 2<sup>nd</sup> class rate for the weight of the documents.

#### **4. Disclosure of personal information**

4.1 If an elected member of the council needs to access information to help carry out their duties, this is acceptable. They are only able to access as much information as is needed and it should only be used for that specific purpose.

4.2 If, for instance, someone has made a complaint about overhanging 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.

4.3 Data should never be used for political reasons unless the data subjects have consented.

#### **5. Confidentiality**

5.1 The Parish Council Councillors and Clerk 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.

Adopted May 2016