

# **SAMBOURNE PARISH COUNCIL**

## **DATA PROTECTION POLICY**

Sambourne 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.

When dealing with personal data, Sambourne 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 to what it is needed for. Data will be monitored so that only data that is needed should be held.

**IT IS ACCURATE AND KEPT UP TO DATE** – Personal data should be accurate, if it 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** - Sambourne Parish Council recognises its responsibility to be open with people when taking personal details from them. This means that staff and Councillors must be honest about why they want a particular piece of information.

**STORING AND ACCESSING DATA** – Sambourne Parish Council may hold information about individuals such as their addresses and telephone numbers. These are kept in a secure location at the home of 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, if it 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 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, excessive or repetitive may be refused or a charge made. If a request is refused, a reason must be given. Individuals have the right to have their personal data rectified if it is inaccurate or incomplete.

Individuals have the right to request the removal or erasure of their personal data. Sambourne Parish Council will comply with such requests in accordance with GDPR.

**DISCLOSURE ON 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.

**CHILDREN** - There is special protection for the personal data of a child. The age when a child can give their own consent is 13. If the Council requires consent from young people under 13, the Council must obtain a parent or guardian's consent in order to process the personal data lawfully. Consent forms for children aged 13 plus must be written in language that they will understand.

**CONFIDENTIALITY** – Sambourne 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 personal data breach is identified that meets the reporting criteria, the Parish Council must inform the ICO within 72 hours and an investigation will be conducted.

All employees, volunteers and Councillors are expected to comply with this Policy at all times to protect privacy, confidentiality and the interests of the Council

**Policy adopted by Sambourne Parish Council on 15<sup>th</sup> March 2021 and should be reviewed every three years.**