

NORTH MUNDHAM PARISH COUNCIL DATA PROTECTION POLICY

1. INTRODUCTION

The Data Protection Act 1998 was enacted to bring the UK into line with European privacy laws and defines UK law of processing data on identifiable living people. It allows individuals to have control over information which is kept about them.

A Council acting as an employer is required to comply with the Data Protection Act. In such circumstances, the Council will be deemed to be a data controller for the purposes of the Act and in this capacity it will determine the purposes for which and the manner in which any personal data, is, or is to be, processed. "Processing" includes obtaining, recording, holdings or using information. The Parish Council has notified the Information Commissioner that it holds personal data about individuals. When dealing with Personal data, North Mundham Parish Council staff and Councillors must ensure that:

2. 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.

Data is relevant for what it is needed for, is accurate and kept up to date and is only used for specified purposes only.

Data is not kept any longer than it is needed and is kept securely and can not be accessed by members of the public.

Data is processed in accordance the rights of individuals

3. STORING AND ACCESSING DATA

North Mundham Parish Council recognises it responsibility to be open with people when taking personal details from them. This means that Councillors and Staff must be honest about why they want a particular piece of information.

North Mundham Parish Council may hold personal information about individuals such as their address, telephone number and email address. These will be kept in a secure location and all data stored on the Parish computer will be password protected. If for example, a member of the public provides their phone number or email address, it will only be used for the purpose it has been given and will not be disclosed to anyone else. Once data is not needed anymore, it will be shredded or delated from the computer.

4. SUBJECT RIGHTS

The Parish Council is aware that people have the right to access any personal information that is held about them. If the person requests 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
- They must be a list of who has seen it
- It must be sent within 40 days

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 Council and amended in line with inflation from time to time. Currently this fee must not exceed £10.

5. DISCLOSURE OF PERSONAL INFORMATION

If an elected member of the council needs to access personal information to help carry out their duties, this is acceptable. They are only able to access as much personal information as necessary and it should only be used for that specific purpose. However, before they access any sensitive personal information about a person, they would need consent to do this from the Parish Clerk (the registered Data Controller). Data should never be used for political reasons unless the data subjects have consented.

6. EXCEPTIONS

There are circumstances in which a data controller is not obliged to supply certain information to the requester. Some of the most important exemptions apply to:

- a) Crime prevention and detection;
- b) Confidential references given by you (but not ones given to you);and
- c) Information covered by legal professional privilege.

A review of this policy shall be undertaken bi-annually (or as appropriate) and necessary amendments will be undertaken by the Clerk and reported to the full council for approval.

The Council will undertake to ensure that its members and employees are trained in the processes required by this policy as deemed appropriate.

Adopted on: 7th March 2017

Minute No: 35.17(4)

Review: March 2019