

Sharow Parish Council

Data Protection Policy

Re-adopted at Annual Parish Council Meeting 20th May 2019

Purpose

This policy explains the approach of Sharow Parish Council (“the Council”) to data protection as regulated by The General Data Protection Regulation Act 2018 (“the Act”) in relation to councilors, employees, volunteers, parishioners, funding bodies, statutory and commercial bodies, and other third parties.

Principles

The Council regards the lawful and correct treatment of personal information as important to successful working and to maintaining the confidence of those with whom it deals.

The Council complies with the eight principles of good information handling enforced by the Act:

- a. Data must be processed fairly and lawfully
- b. Data must only be used for specific purposes
- c. Data must be adequate, relevant and not excessive
- d. Data must be accurate and kept up-to-date
- e. Data must not be kept for longer than necessary
- f. The rights of Data Subjects must be respected
- g. Organisations must take appropriate steps to maintain security
- h. Data must not be transferred abroad without adequate protection.

This policy will be updated as necessary to reflect best practice in data management, security and control and to ensure compliance with changes or amendments made to the Act.

Policy

The Council needs to collect and use certain types of information about the Data Subjects with whom it comes into contact. This personal information will be collected and dealt with appropriately – whether on paper, in a computer, or in another form (e.g. photographs, recordings). The organisations and individuals about which the Council holds information are referred to in this policy as data subjects. The Council will ensure that:

- a. everyone processing personal information is appropriately trained and supervised;
- b. anybody wanting to make enquiries about handling personal information knows what to do;
- c. any enquiries about handling personal information are dealt with promptly and courteously;
- d. the handling of personal information is clearly described;
- e. the management and use of personal information is regularly reviewed.

Responsibilities

Sharow Parish Council is the Data Controller under the Act, which means that it determines for what purposes personal information will be used.

The Clerk is the central point of contact for all data compliance issues.

Data Information Audit

Councillors

Personal data processed:	a/ Register of Interests b/ Contact information c/ Names in minutes to show attendance
Purpose of processing:	a/ Legal requirement b/ Smooth administration of council business c/ Legal requirement
How processed:	a/ Displayed on website, sent to relevant Principal Authority officer b/ Held by Clerk c/ Shown in Minutes
Lawful basis for processing:	a/ Compliance with legal obligation b/ Public interest c/ Compliance with legal obligation
Consent to process:	a/ Statutory duty to complete under the Localism Act 2018 b/ Request made when elected c/ Statutory requirement to record under the Local Government Act 1972

Employees

Personal data processed:	a/ Personal details b/ Employment details and history, and contract c/ Bank details
Purpose of processing:	a/ Legal requirement b/ Legal requirement c/ In order to process payroll
How processed:	a/ HMRC, via third party payroll administration company b/ Held by Clerk c/ Third party payroll administration company
Lawful basis for processing:	a/ Compliance with legal obligation b/ Compliance with legal obligation c/ Compliance with legal obligation
Consent to process:	a/ Statutory duty to comply b/ Statutory duty to comply c/ Consent acquired on appointment

Parishioners

Personal data processed:	a/ Electoral roll b/ Email addresses / contact details via letters c/ Details on planning applications
Purpose of processing:	a/ Administration for Annual Parish Meeting only b/ Communication between parishioners and the Council c/ Legal obligation as a statutory consultee
How processed:	a/ To identify eligible electors at APM b/ To communicate responses to queries c/ Solely to aid response to Local Planning Authority
Lawful basis for processing:	a/ Public Interest b/ Public Interest c/ Public Interest
Consent to process:	a/ Provided by Principal Authority b/ Freely given by parishioner for the purpose stated in their communication c/ Provided by Local Planning Authority

Contractors

Personal data processed:	a/ Names addresses, email contact
Purpose of processing:	a/ To correspond with contractor and administer contract
How processed:	a/ By correspondence as above
Lawful basis for processing:	a/ Contractual necessity
Consent to process:	a/ Under the terms of the contract

Grant-giving bodies

Personal data processed:	a/ Names addresses, email contact
Purpose of processing:	a/ To process grant applications by the Council
How processed:	a/ By responding and processing grant application
Lawful basis for processing:	a/ Public Interest
Consent to process:	a/ Consent given freely for application process only

Storage of data

- a. Manual files containing sensitive information will be labelled confidential and kept in locked filing cabinets, accessible only to the Clerk
- b. Computer records and files containing sensitive information will be password protected, accessible only to the Clerk.
- c. Information held about employees will only be collected and recorded with good reason, and will be stored securely and for only as long as required.

Data Access Requests

A Data Subject may make a subject access request ("SAR") at any time to see the information which the Organisation holds about them. SARs must be made in writing, accompanied by a fee of £5. Upon receipt of a SAR, the Council will respond within 28 days. The following information will be provided to the data subject: Whether or not the Council holds any of their personal data and if so what; details of what that personal data is used for.