Spelsbury Parish Council Data Protection Policy

Adopted by Spelsbury Parish Council on 01 September 2020
Last approved on 05 November 2024

This is a statement of the Data Protection Policy adopted by Spelsbury Parish Council. Spelsbury Parish Council needs to collect and use certain types of information about people with whom it deals in order to perform its functions. This information includes current, past and prospective employees, suppliers, clients, customers, service users and others with whom it communicates.

Spelsbury Parish Council is required by law to collect and use certain types of information to fulfil its statutory duties and also to comply with the requirements of the Government. This personal information must be dealt with properly however it is collected, recorded and used – whether on paper, as computer data, or on other material – and there are safeguards to ensure this in the Data Protection Act 2018.

Spelsbury Parish Council regards the lawful and correct treatment of personal information as critical to successful operations, and to maintaining confidence between those with whom it deals and itself. It is essential that the Council treats personal information lawfully and correctly.

To this end the Council fully endorses and adheres to the principals of data protection as enumerated in the Data Protection Act 2018.

The Data Protection Principles are as follows:-

1. Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met.
2. Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or purposes.
3. Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
4. Personal data shall be accurate, and, where necessary, kept up to date.
5. Personal data processed for any purpose or purposes shall not be kept for longer than necessary for that purpose or purposes.
6. Personal data shall be processed in accordance with the rights of data subjects under the Act.
7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
8. Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

Therefore, Spelsbury Parish Council will, through appropriate management, and strict application of criteria and controls:-

- Observe fully conditions regarding the fair collection and use of information.
- Meet its legal obligations to specify the purposes for which information is used.
- Collect and process appropriate information only to the extent that it is needed to fulfil operational needs or comply with any legal requirements.
- Ensure the quality of information used.
- Apply strict checks to determine the length of time information is held.
- Ensure that the rights of people about whom information is held can be fully exercised under the Act. (These include: right to be informed that processing is being undertaken, the right of access to one's personal information, the right to prevent processing in certain circumstances and the right to rectify, block or erase information which is regarded as wrong information.)

- Take appropriate technical and organisational security measures to safeguard personal information.
- Ensure that any third party processors contracted by the Council adhere to appropriate controls.

In addition Spelsbury Parish Council will ensure that:-

- Everyone managing and handling personal information understands that they are contractually responsible for following good data protection practice.
- Documents and any storage media containing input to and output from systems (paper or electronic) detailing personal information will be held, transported and disposed of with due regard for sensitivity.
- Confidential paper output no longer required will be shredded before it is included in the recycling process.

Responsibilities and Roles

In legal terms, the overall responsibility for the notification of the Council as a data controller and for ensuring compliance rests with the Parish Clerk.

It is NOT the responsibility of the Parish Clerk to apply the provisions of the Act, this is the responsibility of the individual collectors, keepers and users of personal data. The Clerk and Councillors are required to be aware of the provisions of the Data Protection Act 1998, such as keeping records up to data and accurate, and its impact on the work they undertake on behalf of the Council.

Any breach of the Data Protection Policy, whether deliberate or through negligence, may lead to disciplinary action being taken or even a criminal prosecution.

Data Security

The Clerk and Councillors are responsible for ensuring that:

- Any personal data they hold, whether in electronic or paper format, is kept securely.
- Personal information is not disclosed deliberately or accidentally either orally or in writing to any unauthorised third party.

Subject Access

An individual is entitled, on making a written request, to be supplied with a copy of all, with limited exceptions, information which forms the personal data held about them.

A request for subject access must be responded to within forty days. If it is not, the individual is entitled to complain to the Information Commissioner.

All data subject access requests must be referred to the Parish Clerk, who will co-ordinate the processing of the requests.