



GREAT & LITTLE PRESTON PARISH COUNCIL

DATA PROTECTION POLICY

Introduction

In order to conduct its business, services and duties, **Great & Little Preston Parish Council** needs to collect and process certain types of information about the people [*Data Subjects*] who come into contact with it. This personal information must be collected and dealt with appropriately – whether on paper, in a computer, or recorded on other material – and there are safeguards to ensure this under the Data Protection Act 2018.

The glossary at the end explains the definitions of the technical terms used and is intended to aid understanding of this policy.

Data Controller

Great & Little Preston Parish Council is the Data Controller under the Act, which means that it determines what purposes personal information held will be used for. It is also responsible for notifying the Information Commissioner of the data it holds or is likely to hold, and the general purposes that this data will be used for.

Disclosure

Great & Little Preston Parish Council may share data with other agencies such as the local authority, funding bodies and other voluntary agencies.

The Data Subject will be made aware in most circumstances how and with whom their information will be shared. There are circumstances where the law allows Great & Little Preston Parish Council to disclose data (including sensitive data) without the data subject's consent.

These are:

1. Carrying out a legal duty or as authorised by the Secretary of State
2. Protecting vital interests of a Data Subject or other person
3. The Data Subject has already made the information public
4. Conducting any legal proceedings, obtaining legal advice or defending any legal rights
5. Monitoring for equal opportunities purposes – i.e. race, disability or religion
6. Providing a confidential service where the Data Subject's consent cannot be obtained or where it is reasonable to proceed without consent: e.g. where we would wish to avoid forcing stressed or ill Data Subjects to provide consent signatures.

Great & Little Preston Parish Council regards the lawful and correct treatment of personal information as very important to successful working, and to maintaining the confidence of those with whom we deal.

Great & Little Preston Parish Council will adhere to the Principles of Data Protection, as detailed in the Data Protection Act 2018.

Specifically, the Principles require that personal information:

1. Shall be processed fairly, lawfully and transparently
2. Shall be obtained only for specified, explicit purposes
3. Shall be used in a way that is adequate, relevant and limited to only what is necessary.
4. Shall be accurate and, where necessary, kept up to date,
5. Shall not be kept for longer than is necessary
6. Shall be processed in accordance with the rights of data subjects under the Act,
7. Shall be handled in a way that ensure appropriate security, including protection against unlawful or unauthorised processing, access, loss, destruction or damage
8. 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 information.

Great & Little Preston Parish Council will, through appropriate management, 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, and only to the extent that it is needed to fulfil its operational needs or to comply with any legal requirements,
- Ensure the quality of information used,
- Ensure that the rights of people about whom information is held, can be fully exercised under the Act. These include:
 - *The right to be informed about how individual data is being used;*
 - *The right of access to the individual's own personal data;*
 - *The right to correct, rectify, block or erase information which is regarded as wrong information;*
 - *The right to stop or restrict the processing of your individual data;*
 - *The right to allow data portability (allowing the individual to obtain and re-use their data for different services;*
 - *The right to accept individual's objections to how their data is processed in certain circumstances.*
- Take appropriate security measures to safeguard personal information,
- Ensure that personal information is not transferred abroad without suitable safeguards,
- Treat people justly and fairly whatever their age, religion, disability, gender, sexual orientation or ethnicity when dealing with requests for information,
- Set out clear procedures for responding to requests for information.

Data collection

Informed consent:- is when

- A Data Subject clearly understands why their information is needed, who it will be shared with, the possible consequences of them agreeing or refusing the proposed use of the data
 - and then gives their consent.

Great & Little Preston Parish Council will ensure that data is collected within the boundaries defined in this policy. This applies to data that is collected in person, or by completing a form.

When collecting data, Great & Little Preston Parish Council will ensure that the Data Subject:

- Clearly understands why the information is needed
- Understands what it will be used for and what the consequences are should the Data Subject decide not to give consent to processing
- As far as reasonably possible, grants explicit consent, either written or verbal for data to be processed
- Is, as far as reasonably practicable, competent enough to give consent and has given so freely without any duress
- Has received sufficient information on why their data is needed and how it will be used

Data Storage

Information and records relating to service users will be stored securely and will only be accessible to authorised staff.

Information will be stored for only as long as it is needed or required by statute and will be disposed of appropriately.

It is Great & Little Preston Parish Council responsibility to ensure all personal and company data is non-recoverable from any computer system previously used within the organisation, which has been passed on/sold to a third party.

Data access and accuracy

All Data Subjects have the right to access the information Great & Little Preston Parish Council holds about them. Great & Little Preston Parish Council will also take reasonable steps to ensure that this information is kept up to date by asking data subjects whether there have been any changes.

In addition, Great & Little Preston Parish Council will ensure that:

- Everyone processing personal information understands that they are contractually responsible for following good data protection practice,
- Anybody wanting to make enquiries about handling personal information knows what to do,
- It deals promptly and courteously with any enquiries about handling personal information,
- It describes clearly how it handles personal information,
- It will regularly review and audit the ways it holds, manages and uses personal information,

- It regularly assesses and evaluates its methods and performance in relation to handling personal information,
- Staff are aware that a breach of the rules and procedures identified in this policy may lead to disciplinary action being taken against them.

This policy will be updated as necessary to reflect best practice in data management, security and control and to ensure compliance with any changes or amendments made to the Data Protection Act 2018.

In case of any queries or questions in relation to this policy please contact the Great & Little Preston Parish Council Clerk:

Mrs S. Bath, 8 Hirst Street, Allerton Bywater, Castleford WF10 2HW
e-mail: s.bath@greatandlittlepreston-pc.org.uk

Signed..... Position

Date: May 15th 2019

Review Date: May 2020

GLOSSARY

Data Controller – The person who (either alone or with others) decides what personal information Great & Little Preston Parish Council will hold and how it will be held or used.

Data Protection Act 1998 – The UK legislation that provides a framework for responsible behaviour by those using personal information.

Data Protection Officer – The person(s) responsible for ensuring that it follows its data protection policy and complies with the Data Protection Act 2018. (Legislation has exempted Parish Councils from the duty to appoint a Data Protection Officer)

Data Subject/Service User – The individual whose personal information is being held or processed by Great & Little Preston Parish Council (for example: a client, an employee, a supporter)

‘Explicit’ consent – is a freely given, specific and informed agreement by a Data Subject (see definition) to the processing* of personal information* about her/him. Explicit consent is needed for processing sensitive* data (* See definitions)

Notification – Notifying the Information Commissioner about the data processing activities of Great & Little Preston Parish Council, as certain activities may be exempt from notification.

Information Commissioner – The UK Information Commissioner responsible for implementing and overseeing the Data Protection Act 2018.

Processing – means collecting, amending, handling, storing or disclosing personal information

Personal Information – Information about living individuals that enables them to be identified – e.g. name and address. It does not apply to information about organisations, companies and agencies but applies to named persons, such as individual volunteers or employees within Great & Little Preston Parish Council.

Sensitive data – means data about:

- Racial or ethnic origin
- Political opinions
- Religious or similar beliefs
- Trade union membership
- Physical or mental health
- Sexual life
- Criminal record
- Criminal proceedings relating to a data subject’s offences