

BYRAM-CUM-SUTTON PARISH COUNCIL

Data Protection Policy; Agreed on 20.06.24; Minute No. JUN 24

Byram-cum-Sutton Parish Council recognises its responsibility to comply with the Data Protection Act 1998. The act regulates the use of personal data. This does not have to be sensitive data; it can be as little as a name and address.

The Data Protection Act

The D.P.A. 1998 sets out high standards for the handling of personal information and protecting individuals' rights for privacy. It also regulates how information can be collected, handled and used. The D.P.A. applies to anyone holding information about people electronically or on paper. As a local authority Byram-cum-Sutton Parish Council has a number of procedures in place to ensure that it complies with the D.P.A. 1998 when holding personal information.

The Parish Council has also notified the Information Commissioner that it holds personal data about individuals. When dealing with personal data Parish Council staff and Councillors must ensure that:

Data is processed fairly and lawfully and for specific purposes only

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.

Data is relevant to what it is needed for

Data will be monitored so that too much or too little is not kept; only data that is needed should be held.

Data is accurate; kept up to date; not kept longer than it is needed

Personal data should be accurate, if not it should be corrected. It should not be kept unnecessarily.

Data 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.

Data 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.

Storing and accessing data

Byram-cum-Sutton Parish Council recognises its responsibility to be open with people when taking personal data from them. This means that staff must be honest about why they want a particular piece of information. If, for example, a member of the public gives their phone number to staff or a member of Fairburn Parish Council, this will only be used for the purpose it has been given and will not be disclosed to anyone else.

Byram-cum-Sutton Parish Council may hold information about individuals such as their addresses and telephone numbers. These will be kept in a secure location by the clerk and are not available for public inspection. All data stored on the clerk's computer is password protected. Once data is not needed any more, if it is 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:

- They must be sent all of the information that is being held about them
- There must be an explanation of why it is being stored
- There must be a list of who has seen it
- It must be sent within 40 days of request

A fee to cover photocopying and postage charges will be charged to the person requesting the information. This fee will be agreed by the Council and amended in line with inflation from time to time.

Disclosure of 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 overhanging bushes in a garden a Councillor may access an address and telephone number of the person who has made the complaint so that they can help with the enquiry. They can only do this by proving they represent the area that the subject lives in. 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.

Confidentiality

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.