



DATA PROTECTION POLICY

Adopted by Wroxham Parish Council on the 7th April 2022 at Full Council meeting. To be reviewed annually.

Wroxham Parish Council recognises its responsibility to comply with the Data Protection Act 2018. 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.

DATA PROTECTION:

The Data Protection Act 2018 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 Data Protection Act applies to anyone holding information about people electronically or on paper. The General Data Protection Regulation 2018 forms part of the Act and emphasizes that the information provided to people about how we process their personal data must be concise, transparent, intelligible and easily accessible, written in clear and plain language, particularly if addressed to a child and free of charge.

As a local authority Wroxham Parish Council has a number of procedures in place to ensure that it complies with The Data Protection Act 2018 and the General Data Protection Regulation 2018 relating to holding personal information.

Wroxham Parish Council has appointed the Clerk as the designated Data Protection Officer. The clerk will receive training for this role, as required.

When dealing with personal data, Wroxham Parish Council staff and Councillors must ensure that:

- **IT IS PROCESSED FAIRLY AND LAWFULLY**
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.
- **IT IS PROCESSED FOR SPECIFIED PURPOSES ONLY**
- **IT 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.
- **IT IS ACCURATE AND KEPT UP TO DATE**
Personal data should be accurate, if it is not it should be corrected.
- **IT IS NOT KEPT LONGER THAN IT IS NEEDED**
- **IT 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.
- **IT 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.

COLLECTING DATA

Wroxham Parish Council recognizes its responsibility to be open with people when taking personal details 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 Wroxham Parish Council, this will only be used for the purpose it has been given and will not be disclosed to anyone else.

Data may be collected via the Parish Council's website – the 'Contact Us' form or 'Newsletter' form.

The webpage for both forms contain the policy statement (shown below) about how the data will be stored and used:

"We will not share your personal information with any third party without your permission. Our contact information will be stored by the Clerk and will be used to respond to you. We will not share your personal information with any third party without your permission."

STORING AND ACCESSING DATA

Wroxham Parish Council may hold information about individuals such as their addresses and telephone numbers. These are kept in a secure location at the Parish Clerk's place of residence and are not available for the public to access. All data stored on a computer is password protected. Once data is not needed anymore, if it is out of date or has served its use, it will be destroyed or deleted from the computer.

A councillor who legitimately gathers data which is then passed to the Clerk for storage will make certain that data is deleted from their own records. This is to ensure that data is not retained unnecessarily by the councillor.

The Parish Council is aware that people have the right to access any information that is held about them. If a person requests to see any data that is being held about them;

- They must be sent all of the information that is being held about them
- There must be explanation for why it has been stored
- There must be a list of who has seen it
- It must be sent within one month
- Requests that are manifestly unfounded or excessive may be refused or a charge made
- If a request is refused, a reason must be given.

If an individual requests that their data is rectified or erased, this will be carried out.

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 over hanging bushes in a garden, a councillor may access an address and telephone number of the person who has made the complaint so they can help with the enquiry. They can only do this providing 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

Wroxham 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.

If a data breach is identified the ICO must be informed and an investigation will be conducted. This policy will be reviewed annually, as well as an annual review of the compliance and effectiveness of the policy.

WROXHAM PARISH COUNCIL

Data Protection & GDPR guidance notes - June 2018

Data Protection Act 2018

1. Background and relevance

The Act came into force 25th May 2018 and replaces the Data Protection Act 1998. It incorporates the General Data Protection Regulation which was designed to create common privacy requirements across the EU

The Act applies to 'personal data' that is data relating to a living person who can be identified from that data.

'Processing data' means any operation performed on that personal data such as collection, recording, use.

The Parish Council does have data that relates to living individuals and does process data. The DPA 2018 policy has been produced in order to show compliance with the Act.

2. Information Audit

The type of information the Council holds tends to be limited to name, address, telephone number and email address.

More detailed information is held for employees & councillors, (eg staff employment details & contracts, councillors' election registration forms & Registers of Interests – these Registers are held with the Parish Clerk).

In the normal course of business the Parish Council will receive personal data in connection with the following:

- Administration of the cemetery & churchyard – next of kin & other family details
- Administration of employment matters – data shared with HMRC
- Correspondence sent to the Council – email, telephone, letter
- Contact details for local organisations – data shared with webmaster,
- Information supplied for the council website

Data relating to professional or business details in connection with the following:

- Auditing – data shared with external & internal auditors
- Insurance
- Contact details & business information from suppliers & contractors

Note: the Data Protection Act does not apply to the records of those who are interred at the cemetery.

Services relating to children – the Council does not have any services directly relating to children. It is aware that should that circumstance change, the relevant Data Protection issues will need to be taken into consideration.

3. Sensitive data

The Act requires 'sensitive data' to be treated differently. Categories of sensitive data includes racial or ethnic origins, political opinions, religious beliefs, health issues.

The Parish Council does not collect such data.

Where the Council carries out village wide surveys, such as in the Neighbourhood Plan or a Parish Plan, the responses are anonymous and questions are not generally asked on a topic that is classified as sensitive.

4. Storage of data

All council paper documents are stored in locked cabinets in the parish office.

All computer records are stored on a password protected laptop with anti-virus software. The Parish Council does not currently utilise cloud storage but this is due for review.

5. How the data is used

Data is only used for the purpose it has been supplied.

Data is not passed onto a third party without the express consent of the data subject. The Council does not routinely share data. It does not sell data.

6. Subject access requests

A request for a copy of information held can be made.

There is a prescribed process. Response time will reduce to one month under the new GDPR.

7. Data Protection Officer

It is recommended that the Parish Clerk be appointed DPO.