

## **Danby Wiske with Lazenby Parish Council Data Protection Policy**

Danby Wiske with Lazenby Parish Council has a responsibility to comply with the 2018 General Data Protection Regulation. GDPR retains the existing legal principles of the 1998 Data Protection Act with additional protections relating to the use of personal data and sensitive personal data. The Data Protection Act applies to any organisation holding information about people, electronically or on paper.

The General Data Protection Regulation both regulates/stipulates how information can be collected, handled and used and also that the information provided to people about how their personal data is processed must be concise, transparent, intelligible and easily accessible, written in clear and plain language, and free of charge. The Government has exempted Parish Councils from having to appoint a Data Protection Officer.

Danby Wiske with Lazenby Parish Council will follow recommended practice and the Clerk will be responsible for the proper management of data to ensure that it complies with the General Data Protection Regulation 2018 when holding personal information. When dealing with personal data the Clerk and Parish Councillors must ensure that:

- IT IS PROCESSED FAIRLY AND LAWFULLY. This means that information will only be collected from individuals if the Clerk 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 AND IS NOT KEPT LONGER THAN NECESSARY. Data are monitored to ensure they are only held when needed.
- IT IS ACCURATE AND KEPT UP TO DATE. Personal data should be accurate and will be corrected if inaccurate.
- IT IS PROCESSED IN ACCORDANCE WITH THE RIGHTS OF INDIVIDUALS. Individuals, upon request, will be informed of all the information held about them.
- IT IS KEPT SECURELY. The Clerk and Parish Councillors can access the data but they cannot be accessed by members of the public.

### Collecting Data

The Parish Council will be open with people when taking personal details from them. Such data will be used only for the purpose they have been given and will not be disclosed to anyone else.

### Data held by the Parish Council

The Parish Council holds contact details for Parish Councillors and those providing services to the Council. Contact details for the Clerk are held and are published on the website. The Council holds the relevant records for payment of the Clerk's salary and HMRC contributions. The Parish Council does not hold any sensitive personal data - racial or ethnic origin, political opinions, religious belief, trades union membership, physical or mental health, sexual orientation, or genetic/biometric data.

### Storing and Accessing Data

All data are kept securely by the Clerk electronically on a computer which is password protected or on paper in a dedicated secure file. No data are available for the public to access. Once data are no longer needed they will be shredded or deleted from the computer.

Danby Wiske with Lazenby Parish Council recognises that people have the right to access any information that is held about them and if requested the Parish Council will ensure:

- All of the information that is being held is sent
- An explanation is given for why it has been stored
- A list of who has seen it is provided
- The reply will be sent within one month
- Requests that are manifestly unfounded or excessive may be refused
- If a request is refused, a reason must be given
- If an individual requests that their data are rectified or erased, this will be carried out

#### Disclosure of Information

If a Parish Councillor needs to access information to help carry out their duties, it will be limited to as much information as necessary and it will only be used for that specific purpose.

#### Confidentiality

When complaints or queries are made to the Council the Clerk will ensure that they remain confidential unless the subject gives permission otherwise. When handling personal data, these will remain confidential. If a data breach is identified the Information Commissioner's Office will be informed within 72 hours and an investigation will be conducted.

This policy will be reviewed annually together with an annual review of the compliance and effectiveness of the policy.

**Approved by the Parish Council at the Parish Council Meeting held on 17 September 2020**