

Compton Bassett Parish Council

Data Protection Policy

Compton Bassett Parish Council recognises its responsibility to comply with the Data Protection Act 1998 and the General Data Protection Regulation. The act and regulation regulate the use of personal data, this does not have to be sensitive data, and it can be as little as a name and address.

THE DATA PROTECTION ACT: The Data Protection Act 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 Data Protection Act applies to anyone holding information about people electronically or on paper.

THE GENERAL DATA PROTECTION REGULATION: The General Data Protection Regulation 2018 says 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 Compton Bassett Parish Council has a number of procedures in place to ensure that it complies with The Data Protection Act 1998 and the General Data Protection Regulation 2018 when holding personal information.

PROCESSING DATA : When dealing with personal data, the Parish Council clerk and Councillors must ensure that: **IT IS PROCESSED FAIRLY AND LAWFULLY** this means that information should 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 AND 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 AND 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 the clerk and Councillors can access the data, it should be stored securely so it cannot be accessed by members of the public.

COLLECTING DATA: Compton Bassett Parish Council recognises its responsibility to be open with people when taking personal details from them. This means that the clerk and councillors 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 the clerk or a member of the 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 –from the contact us email page. The webpage contains a policy statement about how the data will be stored and used.

STORING AND ACCESSING DATA Compton Bassett 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 shredded or deleted from the computer. Compton Bassett 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 and 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: Compton Bassett Parish Council 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. Adopted by Compton Bassett Parish Council in the light of GDPR.

28th June 2018

Compton Bassett Parish Council

Data Breach Policy

A personal data breach is one that leads to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data.

1. Notifying the Information Commissioners Office (ICO)

Currently, data breaches do not have to be routinely notified to the ICO or others although the ICO recommends that it is good practice so to do. However, guidance states that organisations should notify the Information Commissioners Office of a breach where it is likely to result in a risk to the rights and freedoms of individuals or if it could result in discrimination, damage to reputation, financial loss, loss of confidentiality or any other significant economic or social disadvantage.

Data Breaches will be recorded using the ICO's online system:

<https://ico.org.uk/fororganisations/report-a-breach/> and the following information should be provided:

- The potential scope and cause of the breach
- Mitigation actions the council plans to take
- Details of how the council plans to address the problem

2. Notifying the Individual concerned If a breach is likely to result in a high risk to the rights and freedoms of individuals (such as through identity theft) the council will notify those concerned

3. Timescales under the GDPR, we are required to report a personal data breach, which meets the reporting criteria, within 72 hours to the Information Commissioner. In line with the accountability requirements, all data breaches must be recorded by the parish council along with details of actions taken. This record will help to identify system failures and should be used to improve the security of personal data.

4. Notifying the council, if anyone (including a third party such as a payroll provider) suspects that a data breach has occurred details of the alleged breach should be submitted immediately in writing to: Compton Bassett Parish Clerk

Adopted : 20th September 2018