



Data Protection Policy

(Adopted May 2021)

1 INTRODUCTION

- 1.1 Shustoke Parish Council is committed to full compliance with the requirements of the General Data Protection Regulations 2018. The council will therefore follow procedures which aim to ensure that all employees, elected Members, contractors, consultants, partners or other servants or agents of the council (collectively known as data users) who have access to any personal data held by or on behalf of the council are fully aware of and abide by their duties under the General Data Protection Regulations.

2 STATEMENT OF POLICY

- 2.1 The council needs to collect and use information about people with whom it works in order to operate and carry out its functions. These may include members of the public, current, past and prospective employees, clients and customers and suppliers. In addition the council may be required by law to collect and use information in order to comply with the requirements of central government. This personal information must be handled and dealt with properly however it is collected, recorded and used and whether it is on paper, in computer records or recorded by other means.
- 2.1 Shustoke Parish Council regards the lawful and appropriate treatment of personal information as very important to its successful operations and essential to maintaining confidence between the council and those with whom it carries out business. The council therefore fully endorses and adheres to the principles of the General Data Protection Regulations.

3 HANDLING PERSONAL / SPECIAL CATEGORY DATA

- 3.1 Shustoke Parish Council will, through management and use of appropriate controls, monitoring and review:
 - 3.1.1 Use personal data in the most efficient and effective way to deliver better services;
 - 3.1.2 Strive to collect and process only the data or information which is needed;
 - 3.1.3 Use personal data for such purposes as are described at the point of collection, or for purposes which are legally permitted;
 - 3.1.4 Strive to ensure information is accurate;
 - 3.1.5 Not keep information for longer than is necessary;
 - 3.1.6 Securely destroy data which is no longer needed;
 - 3.1.7 Take appropriate technical and organisational security measures to safeguard information (including unauthorised or unlawful processing and accidental loss or damage of data);
 - 3.1.8 Ensure that information is not transferred abroad without suitable safeguards;
 - 3.1.9 Ensure that there is general information made available to the public of their rights to access information;
 - 3.1.10 Ensure that the rights of people about whom information is held can be fully exercised under the General Data Protection Regulations.
- 3.2 Subject to specific legal obligations, on taking up office, Councillors will be provided with an opportunity to select the amount of personal information they wish to disclose to other councillors, other councils and organisations, and to the public. (Appendix 1)

4 SUMMARY OF RIGHTS

- 4.1 The rights of people about whom information is held can be fully exercised under the General Data Protection Regulations include:-
 - 4.1.1 The right to be informed;
 - 4.1.2 The right of access to personal information;
 - 4.1.3 The right to request rectification;
 - 4.1.4 The right to request erasure;
 - 4.1.5 The right to restrict processing in certain circumstances;
 - 4.1.6 The right to data portability;
 - 4.1.7 The right to object to processing;
 - 4.1.8 The right to erase your details.
- 4.2 The Right to Erasure
 - 4.2.1 The right to erasure of personal data is not absolute and only applies in certain circumstances.
 - 4.2.2 The right to erasure does not apply if processing is necessary for one of the following reasons:
 - (i) to exercise the right of freedom of expression and information;
 - (ii) to comply with a legal obligation;

- (iii) for the performance of a task carried out in the public interest or in the exercise of official authority;
- (iv) for archiving purposes in the public interest, scientific research historical research or statistical purposes where erasure is likely to render impossible or seriously impair the achievement of that processing; or
- (v) for the establishment, exercise or defence of legal claims.

5 ACTION UPON REQUEST

- 5.1 The Council must act upon any request without undue delay and at least within six weeks of receipt.
- 5.2 Requests should be directed to the Shustoke Parish Clerk via the following email:-
Clerk@Shustoke-ParishCouncil.Org.UK

6 THE PRINCIPLES OF DATA PROTECTION

- 6.1 Anyone processing personal data must comply with 6 principles of good practice. These principles are legally enforceable.
- 6.2 The principles require that personal data shall be:-
 - 6.2.1 Processed lawfully, fairly and in a transparent manner in relation to individuals;
 - 6.2.2 Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
 - 6.2.3 Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
 - 6.2.4 Accurate and where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
 - 6.2.5 Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals;
 - 6.2.6 Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures, in accordance with the rights of data subjects under the Act.

- 6.3 The Act provides conditions for the processing of any personal data. It also makes a distinction between personal data and 'special category' data.
- 6.4 **Personal data** is defined as any information relating to an identified or identifiable natural person.
- 6.5 **Special category data** is defined as personal data consisting of information as to:
- 6.5.1 Racial or ethnic origin;
 - 6.5.2 Political opinion;
 - 6.5.3 Religious/philosophical beliefs;
 - 6.5.4 Trade union membership;
 - 6.5.5 Physical or mental health or condition;
 - 6.5.6 Sexual life or sexual orientation;
 - 6.5.7 Biometric data;

Councillor Data Protection Privacy Declaration

The Council’s Data Protection Policy outlines what personal information concerning Councillors is collected and retained, and how such information might be used.

Councillors are asked to consider the following categories of information and consider if they wish to authorise the sharing of such information in the circumstances listed in below:-

	Other Councillors	Members of the Public	NWBC & WCC	WALC & NWAC	Other Councils
Home Telephone Number	Yes / No	Yes / No	Yes / No	Yes / No	Yes / No
Mobile Telephone Number	Yes / No	Yes / No	Yes / No	Yes / No	Yes / No
Personal Email Address	Yes / No	Yes / No	Yes / No	Yes / No	Yes / No
Council Email Address	Yes / No	Yes / No	Yes / No	Yes / No	Yes / No
Home Address	Yes / No	Yes / No	Yes / No	Yes / No	Yes / No

SIGNED

NAME

DATE