

BISHOPSTONE PARISH COUNCIL

Data Protection Policy

The rules that govern the storage and use of personal data are set out in the Data Protection Act 1998. These rules are intended to protect individuals. Initially, only the processing of electronic personal data was covered by Data Protection legislation but the 1998 Act extended this to include many types of manual records. The Freedom of Information Act has extended the definition to include most categories of manual records. Consequently, the Data Protection legislation applies to almost all personal information held by councils.

Notification

Data controllers must notify the Information Commissioner of their processing of personal data. The system involves provision of basic details about the data controller, the classes of data held, the purposes for which the data is held or processed and classes of persons to whom the data might be disclosed. Once notification has been made to the Commissioner, it must be renewed annually and there is a standard fee (currently £35) for both the initial registration and renewal.

It is a criminal offence to process personal data without it being notified and the fines for such a breach are unlimited.

The Data Protection Principles

The Data Protection Act sets out a number of data protection principles which are key to achieving compliance with the legislation. When dealing with personal data the Bishopstone Parish Council Clerk and Councillors will abide by the relevant principles. They are:

- Personal data shall be processed fairly and lawfully. This means that personal information should only be collected from individuals if the Clerk and Councillors have been open and honest about why they want the personal information and (subject to minor exceptions set out in the Act) they have the consent of the data subject.
- Personal data shall be obtained only for one or more specified and lawful purposes.
- Personal data shall be adequate, relevant and not excessive. Data will be monitored so that too much or too little is not kept; only data that is needed should be held.
- Personal data shall be accurate and, where necessary, up to date.
- Personal data processed shall not be kept for longer than is necessary for the relevant purpose.
- Personal data shall be processed in accordance with the rights of data subjects under the Act. This means that individuals must be informed, upon request, of all the personal information held about them.
- Personal Data 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.

Storing and accessing data

Bishopstone Parish Council recognises its responsibility to be open with people when taking personal details from them. This means that Councillors and Clerk must be honest about why they want a particular piece of personal information. If, for example, a member of the public gives their phone number to the Clerk or a member of Bishopstone Parish Council, this will only be used for the purpose it has been given and will not be disclosed to anyone else without the permission of the member of the public.

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

The Parish Council is aware that people have the right to access any personal 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 personal information that is being held about them
- there must be an explanation for why it has been stored
- there must be a list of those who have seen it
- it must be sent within 40 days

Disclosure of personal information

If Councillors need to access personal information to help carry out their duties, this is acceptable. They are only able to access as much personal information as necessary and it should only be used for that specific purpose. However, before they access any sensitive personal 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.

Data Protection Officer

For the purposes of the Act the Clerk to Bishopstone Parish Council will be the Data Protection Officer who is responsible for responding to public enquiries and ensuring compliance.

March 2017