



## **SHERE PARISH COUNCIL**

### **DATA PROTECTION POLICY**

#### **1. Introduction**

1.1 The council holds and processes information about employees, councillors, residents and customers, and other data subjects for administrative and commercial purposes.

1.2 When handling such information, the council and all staff or others who process or use the information, must comply with the Data Protection principles as set out in the Data Protection Act 2018/UK GDPR

#### **2. Data protection principles**

2.1 There are seven principles set out in the Act, which state that data shall be:

- processed lawfully, fairly and in a transparent manner in relation to individuals ('lawfulness, fairness and transparency')
- 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 ('purpose limitation')
- adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed ('data minimisation')
- 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 ('accuracy')
- 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 ('storage limitation')
- 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 ('integrity and confidentiality')

- The controller shall be responsible for, and be able to demonstrate compliance with, paragraph 1 ('accountability').

### **3. Responsibilities**

3.1 Shere Parish Council is the Data Controller and must ensure that any processing of personal data for which they are responsible complies with the Act.

3.2 The Data Protection Officer is Ciaran Ward, who acts on behalf of the council, and is responsible for:

- fully observing conditions regarding the fair collection and use of information
- meeting the Council's legal obligations to specify the purposes for which information is used
- collecting and processing relevant information, only to the extent that is required to fulfil operational needs/to comply with legal requirements
- ensuring the quality of information used
- applying strict checks to determine the length of time that information is held
- ensuring that the rights of the people whom information is held are able to be fully exercised under the Act
- taking appropriate technical and organisational security measures to safeguard personal information
- ensuring that personal information is not transferred abroad without suitable safeguards
- ensuring that everyone managing and handling personal information
  - fully understands that they are contractually responsible for following good practice in terms of protection
  - is adequately trained to do so
  - are appropriately supervised

### **4. Storage and retention**

4.1 Personal data is kept in paper-based systems and/or on a password-protected computer system.

4.2 The council will keep different types of information for differing lengths of time, depending on legal and operational requirements. More information can be found in the council's Document Retention Scheme.

### **5. Access to information**

5.1 Any employees, councillors, residents, customers and other data subjects have a right to:

- ask what personal information the council holds

- ask what this information is used for
- be provided with a copy of the information
- be given details of the purposes for which the council uses the information and any other persons/organisations to whom it is disclosed
- ask that any incorrect data held is corrected
- ask that any information held about them be deleted if it is no longer required by the parish council for any further legitimate business purposes

5.2 If it is felt by the data subject that any personal information held is incorrect the individual may request that it be amended. The council must advise the individual within 21 days whether or not the amendment has been made.

## 6. **Breach of policy**

6.1 Compliance with the Act is the responsibility of all councillors, residents and members of staff. Any deliberate or reckless breach of the policy may lead to disciplinary action and where appropriate, legal proceedings.

6.2 Any individual who believes that the council has breached any of the requirements of the Data Protection Act 2018/UK GDPR should raise the matter with the Clerk. Alternatively, a complaint can be made to the Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

<b>Adopted</b>	<b>Reviewed</b>	<b>Re-adopted</b>
11 <sup>th</sup> September 2018	8 <sup>th</sup> June 2021	8 <sup>th</sup> June 2021
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