

## **Data Protection Policy 2018**

**This Data Protection Policy  
was adopted by Dallington Parish  
Council at their Meeting  
on 18th September 2018**

# DALLINGTON PARISH COUNCIL

## INTRODUCTION

We hold personal data about our employees, residents, suppliers and other individuals for a variety of Council purposes.

This policy sets out how we seek to protect personal data and ensure that Councillors and Officers understand the rules governing their use of personal data to which they have access in the course of their work. In particular, this policy requires Officers to ensure that the Data Protection Officer (DPO) be consulted before any significant new data processing activity is initiated to ensure that relevant compliance steps are addressed.

## 1. DEFINITIONS

### 1.1 BUSINESS PURPOSES

The purposes for which personal data may be used by us – personnel, administrative, financial, statutory and legislative purposes, payroll, consultations and business development purposes.

Council purposes include the following

- Compliance with our legal, regulatory and corporate governance obligations and good practice.
- Gathering information as part of investigations by regulatory bodies or in connection with legal proceedings or requests.
- Ensuring Council policies are adhered to (such as policies covering email and internet use).
- Operational reasons, such as recording transactions, training and quality control, ensuring the confidentiality of sensitive information, security vetting and checking.
- Investigating complaints.
- Checking references, ensuring safe working practices, monitoring and managing staff access to systems and facilities and staff absences, administration and assessments.
- Monitoring staff conduct, disciplinary matters.
- Promoting Council services.
- Improving services.

### 1.2 PERSONAL DATA

Information relating to identifiable individuals, such as job applicants, current and former employees, agency, contract or other staff, clients, suppliers and marketing contacts, members of the public, Council service users, residents, hirers and correspondents. Personal data we gather may include – individual's contact details, educational background, financial and pay details, details of certificates and diplomas, education and skills, job title and CVs, contact details, correspondence, emails, council records.

### 1.3 SENSITIVE PERSONAL DATA

Any use of sensitive personal data will be strictly controlled in accordance with this policy.

## 2. SCOPE

2.1 This policy applies to all councillors and staff. They must be familiar with this policy and comply with its terms.

2.2 This policy supplements our other policies relating to email use. We may supplement or amend this policy by additional policies and guidelines from time to time. Any new or modified policy will be circulated to councillors and staff before being adopted.

2.3 Who is responsible for this policy?

As our Data Protection Officer – Local Council Public Advisory Services (LCPAS) – has overall responsibility for the day-to-day implementation of this policy.

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## 3. OUR PROCEDURES

### 3.1 FAIR AND LAWFUL PROCESSING

We must process personal data fairly and lawfully in accordance with individual's rights. This generally means that we should not process personal data unless the individual whose details we are processing has consented to this happening.

### 3.2 THE DATA PROTECTION OFFICER'S RESPONSIBILITIES

- Keeping the Council updated about data protection responsibilities, risks and issues.
- Reviewing all data protection procedures and policies on a regular basis.
- Assisting with data protection training and advice for all staff members and those included in this policy.
- Answering questions on data protection from staff, council members and other stakeholders.
- Responding to individuals such as members of the public, service users and employees who wish to know which data is being held on them by Dallington Parish Council.

### 3.3 COUNCILLOR AND STAFF IT RESPONSIBILITIES

- Ensuring all systems, services, software and equipment meet acceptable security standards.
- Checking and scanning security hardware and software regularly to ensure it is functioning properly.
- Ensuring data protection statements are attached to all Dallington Parish Council mails.

### 3.4 THE PROCESSING OF DATA MUST BE

- Necessary to deliver our services.
- In our legitimate interests and not unduly prejudice the individual's privacy.
- In most cases this provision will apply to routine business data processing activities.

### 3.5 OUR TERMS OF BUSINESS CONTAIN A PRIVACY STATEMENT RELATING TO OUR DATA PROTECTION

This statement

- Sets out the purposes for which we hold personal data on employees, residents and service users.
- Highlights that our work may require us to give information to third parties such as expert witnesses and other professional advisors.
- Provides that service users and correspondents have a right of access to the personal data that we hold about them.

### 3.6 ACCURACY AND RELEVANCE

- We will ensure that any personal data we process is accurate, adequate and relevant and not excessive, given the purpose for which it was obtained. We will not process personal data obtained for one purpose for any unconnected purpose unless the individual concerned has agreed this or would otherwise reasonably expect this.
- Individuals may ask that we correct inaccurate personal data relating to them. If you believe information is inaccurate you should record the fact that the accuracy of the information is disputed and Dallington Parish Council – [clerk@dallington.org.uk](mailto:clerk@dallington.org.uk)

### 3.7 YOUR PERSONAL DATA

You must take reasonable steps to ensure that personal data we hold about you is accurate and updated as required. For example, if your personal circumstances change, please inform Dallington Parish Council – [clerk@dallington.org.uk](mailto:clerk@dallington.org.uk) – so we can update your records.

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## 3.8 DATA SECURITY

Dallington Parish Council will keep personal data secure against loss or misuse. Where other organisations process personal data as a service on our behalf, the DPO will establish what, if any, additional specific data security arrangements need to be implemented in contracts with those third-party organisations.

## 3.9 STORING DATA SECURELY

- In cases where data is stored on printed paper, it will be kept in a secure place where unauthorised persons cannot access it.
- Printed paper will be shredded/burnt when it is no longer needed.
- Data stored on an IT device will be protected by strong passwords that are changed regularly. All councillors and staff are encouraged to use a password manager to create and store their passwords.
- Data stored on USBs will be locked away securely when they are not being used.
- Dallington Parish Council do not use any cloud storage systems. If they choose to do so in future, the Data Protection Officer must approve their choice of cloud system.
- Data will be backed up regularly.
- All servers used by Dallington Parish Council are protected by security software and a strong firewall.

## 3.10 DATA RETENTION

Dallington Parish Council will retain personal data for no longer than is necessary. What is necessary will depend on the circumstances of each case, taking into account the reasons that the personal data was obtained, but should be determined in a manner consistent with our data retention policy and guidelines.

## 4. SUBJECT ACCESS REQUESTS

4.1 Please note that under the Data Protection Act 1, individuals are entitled, subject to certain exceptions, to request access to information held about them.

4.2 If Dallington Parish Council receive a subject access request, it will be referred immediately to the Data Protection Officer who will assist us to comply with that request.

4.3 Please contact Dallington Parish Council – [clerk@dallington.org.uk](mailto:clerk@dallington.org.uk) – if you would like to correct or request information that we hold about you.

## 5. TRAINING

5.1 All councillors and staff will receive training on this policy. New joiners will receive training and further training will be provided at least every two years or whenever there is a substantial change in the law or our policy and procedure.

5.2 Training will cover

- The law relating to data protection.
- Dallington Parish Council's data protection and related policies and procedures.

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## 6. GDPR AND DATA PROTECTION ACT PROVISIONS

Where not specified previously in this policy, the following provisions will be in effect on or before 25th May 2018.

### 6.1 PRIVACY STATEMENT – TRANSPARANCY OF DATA PROTECTION

Being transparent and providing accessible information to individuals about how we use their personal data is important for Dallington Parish Council. The following are details on how we collect data and what we will do with it.

[Click here to see Dallington Parish Council's Privacy Statement](#)

### 6.2 INFORMATION COLLECTED

What information is being collected	Local government authorities, service providers, suppliers, residents – email address and telephone numbers
Who is collecting it	Dallington Parish Council
How is it collected	Usually by email or telephone request
Why is it being collected	To enable Dallington Parish Council to carry out its statutory requirements and business
How will it be used	As above
Who will it be shared with	Only those necessary for Dallington Parish Council to carry out its statutory requirements and business and permission will be sought
Identity and contact details of Dallington Parish Council's Data Controller	Irene Marchant – Parish Clerk/RFO <a href="mailto:clerk@dallington.org.uk">clerk@dallington.org.uk</a> 01424 838414
Retention period	For as long as it is necessary Dallington Parish Council to carry out its statutory requirements and business or until a request to delete such information is received.
<a href="#">Click here to see DPC's Retention and Disposal of Documents Policy</a>	

### 6.3 CONDITIONS FOR PROCESSING

Dallington Parish Council will ensure any use of personal data is justified using at least one of the conditions for processing and this will be specifically documented. The conditions for processing are available to data subjects in the form of

[Dallington Parish Council's Privacy Statement.](#)

### 6.4 JUSTIFICATION FOR PERSONAL DATA

- Dallington Parish Council will process personal data in compliance with all six data protection principles
  - Lawfulness, fairness and transparency
  - Purpose limitation
  - Data minimisation
  - Accuracy
  - Storage limitation
  - Integrity and confidentiality

### 6.5 CONSENT

The data Dallington Parish Council collects is subject to active consent by the data subject, this consent can be revoked at any time.

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## 6.6 DATA PORTABILITY

Upon request, a data subject will have the right to receive a copy of their data in a structured format. These requests should be processed within one month, provided there is no undue burden and it does not compromise the privacy of other individuals. A data subject may also request that their data is transferred directly to another system. This will be done free of charge.

## 6.7 THE RIGHT TO BE FORGOTTEN

A data subject may request that any information held on them is deleted or removed and any third parties who process or use that data must also comply with the request. An erasure request can only be refused if an exemption applies.

## 6.8 PRIVACY BY DESIGN AND DEFAULT

- Privacy by design is an approach to projects that promote privacy and data protection compliance from the start. The Data Protection Officer will be responsible for conducting Privacy Impact Assessments.
- When relevant, and when it does not have a negative impact on the data subject, privacy settings will be set to most private by default.

## 6.9 DATA AUDIT AND REGISTER

Regular data audits to manage and mitigate risks will inform the data register. This contains information on what data is held, where it is stored, how it is used, who is responsible and any further regulations or retention timescales that may be relevant.

## 6.10 REPORTING BREACHES

All Dallington Parish Councillors and staff have an obligation to report actual or potential data protection compliance failures. This allows us to

- Investigate the failure and take remedial steps if necessary.
- Maintain a register of compliance failures.
- Notify the Supervisory Authority of any compliance failures that are material either in their own right or as part of a pattern of failures.

Please refer to our Compliance Failure Policy for our reporting procedures.

## 6.11 MONITORING

All Dallington Parish Councillors and staff must observe this policy. The Data Protection Officer has overall responsibility for this policy. They will monitor it regularly to make sure it is being adhered to.

## 7. CONSEQUENCES OF FAILURE TO COMPLY

7.1 Dallington Parish Council take compliance with this policy very seriously. Failure to comply will put councillors, staff and the Council at risk.

7.2 The importance of this policy means that failure to comply with any requirement may lead to disciplinary action under our procedures, which may result in dismissal or action by the Monitoring Officer.