



DATA PROTECTION POLICY

Council Commitment

Balsall Parish Council recognises its responsibility to comply with the Data Protection Act 1998 and the General Data Protection Regulation 2018.

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.

Legal Context

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 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 Balsall 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.

Dealing with personal data

The Clerk to Balsall Parish Council is the Council's Data Controller.

When dealing with personal data, council staff and Councillors must ensure that it is:

- **processed fairly and lawfully** this means that information should only be collected from individuals if staff and councillors have been open and honest about why they want the information.
- **processed for specified purposes only**
- **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.
- **accurate and kept up to date** personal data should be accurate, if it is not it should be corrected.
- **not kept longer than it is needed**
- **processed in accordance with the rights of individuals** this means that individuals must be informed, upon request, of all the information held about them.
- **kept securely** this means that only staff and Councillors can access the data, it should be stored securely so it cannot be accessed by members of the public.

Collecting data

Balsall Parish Council recognises its responsibility to be open with people when taking personal details from them. This means that staff must be honest about why they want a particular piece of information.



Balsall Parish Council

If, for example, a member of the public gives their phone number to staff 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.

Storing and accessing data

The parish council may hold information about an individual such as their address and telephone number. These are kept in a secure location at the Council's office or storage facility 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.

The 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
- it must be sent within one month

Requests that are manifestly unfounded or excessive may be refused or a charge made and 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 a member of the council 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.

However, before they access any sensitive information about a person, they would need consent to do this from the Clerk. Data should never be used for political reasons unless the data subjects have consented.

Confidentiality

Council staff 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 is cross-referenced to the following Balsall Parish Council's adopted policies and procedures:
Complaints Policy and Procedure
Freedom of Information Act Policy and Procedure
Privacy Notice