

TAVERHAM PARISH COUNCIL

DATA PROTECTION POLICY

1. Introduction

- 1.1 The Clerk to the Council is the Data Controller for the Council, as defined by the Data Protection Act 1998 (DPA). The Council, through the Clerk, will take all reasonable steps to meet its responsibilities under the Act and comply with the Data Protection Principles set out within it.
- 1.2 The Council regards the lawful and correct treatment of personal information as very important in order to maintain the confidence of those with whom it deals.
- 1.3 The Council needs to collect and use certain types of personal information. This includes information about current, past and prospective employees, Councillors, suppliers and parishioners. In addition, it may be required by law to collect and use certain types of information. Personal information will be dealt with in accordance with the DPA 1998.

2. Scope

- 2.1 This policy statement applies to all Councillors, employees, and individuals about whom the Council processes personal information, as well as other partners and companies with whom the Council undertakes its business.

3. Main Provisions of the 1998 Legislation

- 3.1 Ensuring Data Controllers notify their processing of personal data to the Information Commissioners Office. The Council must supply certain information to the Commissioner who maintains a public register of the types of information organisations process.
- 3.2 Observing the eight Data Protection Principles (more detail below)
- 3.3 Allowing the 'data subject' to exercise his/her rights and have right of access to his/her personal information, ie. what is held, how it is processed, and to whom it is disclosed. Such access requests must be complied with within 40 days.

4. Definitions

Data Controller	Any individual or organisation who controls personal data, in this instance the Clerk to Taverham Parish Council
Personal Data	Information held on a relevant filing system, accessible record or computerised record (as well as digital audio or video equipment), which identifies living individuals
Sensitive Personal Data	Personal data relating to an individuals' race or ethnic origin, political opinions, religious beliefs, physical/mental health, trade union membership, sexual life and criminal activities
Relevant Filing System	Also known as <u>manual records</u> i.e. a set of records which are organised by reference to the individual/their criteria and are structured in such a way as to make specific information readily accessible e.g. personnel records
Data Subject	An individual who is the subject of personal data, for example, an employee or a Councillor
Processing	Obtaining, recording or holding data or carrying out any operation on the data including organising, adapting,

	altering, retrieving, consulting, using, disclosing, disseminating, aligning, blocking or erasing the data
Accessible Records	Any records which are kept by the Council as part of a statutory duty

5. The eight Data Protection Principles

- 5.1 These Principles require that personal information-
- 5.2 shall be processed fairly and lawfully and, in particular, shall not be processed unless specific conditions, as set out in the 1998 Act, are met;
- 5.3 shall be obtained for only one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes;
- 5.4 shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed;
- 5.5 shall be accurate and, where necessary, kept up to date;
- 5.6 shall not be kept for longer than is necessary for that purpose or those purposes;
- 5.7 shall be processed in accordance with the data subject under the DPA 1998;
- 5.8 shall be protected, by appropriate technical and organisational measures, against all unauthorised or unlawful processing and against accidental loss or destruction, or damage;
- 5.9 shall not be transferred to a country or territory outside the European Economic Area, unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

6. Our Commitment

- 6.1 The Council will, through appropriate management and application of criteria and controls:
- 6.2 observe fully conditions regarding the fair collection and use of information;
- 6.3 meet its legal obligations to specify the purposes for which information is used;
- 6.4 collect and process appropriate information only to the extent that it is needed to meet our operational needs or to comply with any legal requirements;
- 6.5 assure itself of the integrity of the information used, including its accuracy and its relevance for the specified purpose;
- 6.6 apply strict checks to ensure that information is held only for the period for which it is necessary (see Records Management Policy);
- 6.7 ensure that the rights of people about whom information is held can be fully exercised under the DPA 1998. (These include: the right to be informed that processing is being undertaken: the right of access to one's personal information; the right to prevent processing in certain circumstances; the right to correct, block or erase information which is regarded as erroneous);
- 6.8 take appropriate technical and organisational security measures to safeguard personal information (see Records Management Policy);
- 6.9 ensure that personal information is not transferred abroad without appropriate safeguards.

7. Compliance

- 7.1 In addition, the Council will take steps to ensure that:
- 7.2 it designates a specific member of staff as the person responsible for data protection;

- 7.3 everyone managing and handling personal information understands that they are contractually responsible for following good data protection practice;
- 7.4 everyone managing and handling personal information is appropriately trained to do so and has access to literature or training events which enable them to keep up-to-date in matters of good practice and any legislative changes;
- 7.5 everyone managing and handling personal information is appropriately supervised;
- 7.6 anybody wanting to make enquiries about the handling of personal information is informed of the procedure;
- 7.7 queries about handling personal information are dealt with promptly and courteously;
- 7.8 methods of handling personal information are clearly described;
- 7.9 procedures for managing personal information are annually reviewed as an integral part of the Internal Audit process;
- 7.10 methods of handling personal information are annually assessed and evaluated.