Walton Parish Council

Data Protection Policy

1. Introduction

1.1 The Parish Council holds and processes information about employees, Councillors, residents and customers, and other data subjects for administrative and commercial purposes. When handling such information, the Parish Council, and Clerk or others who process or use any personal information, must comply with the Data Protection Principles which are set out in the Data Protection Act 1998 (the Act) and the General Data Protection Regulations which come into force on 25th May 2018. In summary these state that personal data shall

• be processed fairly and lawfully,

• be obtained for a specified and lawful purpose and shall not be processed in any manner incompatible with the purpose,

• be adequate, relevant and not excessive for the purpose

• be accurate and up-to-date,

• not be kept for longer than necessary for the purpose,

• be processed in accordance with the data subject's rights,

• be kept safe from unauthorised processing, and accidental loss, damage or destruction,

• not be transferred to a country outside the European Economic Area, unless that country has equivalent levels of protection for personal data, except in specified circumstances.

1.2 Definitions

"Staff", "Councillors, residents and customers" and "other data subjects" may include past, present and potential members of those groups.

"Other data subjects" and "third parties" may include contractors, suppliers, contacts, referees, friends or family members.

"Processing" refers to any action involving personal information, including obtaining, viewing, copying, amending, adding, deleting, extracting, storing, disclosing or destroying information.

2. Notification of Data Held

2.1 The Parish Council shall notify all staff and Councillors, residents and customers and other relevant data subjects of the types of data held and processed by the Parish Council concerning them, and the reasons for which it is processed. The information which is currently held by the Parish Council and the purposes for which it is processed are set out in the Appendix 1 to this Policy. When processing for a new or different purpose is introduced, the individuals affected by that change will be informed and Appendix 1 will be amended.

3. Staff Responsibilities

3.1 All staff shall

• ensure that all personal information which they provide to the Parish Council in connection with their employment is accurate and up-to-date;

• inform the Parish Council of any changes to information, for example, changes of address.

• check the information which the Parish Council shall make available from time to time, in written or automated form, and inform the Parish Council of any errors or, where appropriate, follow procedures for up-dating entries on computer forms. The Parish Council shall not be held responsible for errors of which it has not been informed.

3.2 When staff hold or process information about Councillors, residents and customers, colleagues or other data subjects (for example, Councillors, residents and customers' course work, pastoral files, references to other academic institutions, or details of personal circumstances), they should comply with Data Protection Guidelines.

3.3 Staff shall ensure that
• all personal information is kept securely.
• personal information is not disclosed either orally or in writing, accidentally or otherwise to any unauthorised third party.

3.4 When staff supervise Councillors, residents and customers doing work which involves the processing of personal information, they must ensure that those Councillors, residents and customers are aware of the Data Protection Principles, in particular, the requirement to obtain the data subject's consent where appropriate.

4 **Councillor and other Data Subjects Responsibilities**
4.1 All Councillors, residents and customers shall
• ensure that all personal information which they provide to the Parish Council is accurate and up-to-date;

• inform the Parish Council of any changes to that information, for example, changes of address.

• check the information which the Parish Council shall make available from time to time, in written or automated form, and inform the Parish Council of any errors or, where appropriate, follow procedures for up-dating entries on computer forms. The Parish Council shall not be held responsible for errors of which it has not been informed.

5. Rights to Access Information
5.1 Staff, Councillors, residents and customers and other data subjects in the Parish Council have the right to access any personal data that is being kept about them either on computer or in structured and accessible manual files. Any person may exercise this right by submitting a request in writing to the Parish Clerk.

5.2 The Parish Council may make a charge for each official Subject Access Request under the Act.

5.3 The Parish Council aims to comply with requests for access to personal information as quickly as possible but will ensure that it is provided within 20 *working* days unless there is good reason for delay. In such cases, the reason for the delay will be explained in writing by the Parish Clerk to the data subject making the request.

6 Subject Consent
6.1 In some cases, such as the handling of sensitive information or the processing of customer data, the Parish Council is entitled to process personal data only with the consent of the individual. Agreement to the Parish Council processing some specified classes of personal data is by agreement with the customer, and a condition of employment for staff. (See Appendix 1)

6.2 Sensitive Information
The Parish Council may process sensitive information about a person's health, disabilities, criminal convictions, race or ethnic origin, or trade union membership. For example, some jobs or courses will bring the applicants into contact with children, including young people between the ages of 16 and 18, and the Parish Council has a duty under the Children Act 1989 and other enactments to ensure that staff are suitable for the job. The Parish Council may also require such information for the administration of the sick pay policy, the absence policy or the equal opportunities policy.

6.3 The Parish Council also asks staff for information about particular health needs, such as allergies to particular forms of medication, or conditions such as asthma or diabetes. The Parish Council will only use such information to protect the health and safety of the individual, for example, in the event of a medical emergency.

7 The Data Controller and the Designated Data Controllers
7.1 The Parish Council is the data controller under the Act and is ultimately responsible for implementation. Information and advice about the holding and processing of personal information is available from the Parish Clerk.

8 Retention of Data
8.1 The Parish Council will keep different types of information for differing lengths of time, depending on legal and operational requirements.

9 Compliance
9.1 Compliance with the Act is the responsibility of all Councillors, residents and customers and members of staff. Any questions or concerns about the interpretation or operation of this policy should be taken up with the Parish Clerk
9.2 Any individual, who considers that the policy has not been followed in respect of personal data about themselves, should raise the matter with the designated data controller initially. If the matter is not resolved, it should be referred to the staff grievance or complaints procedure.

Appendix 1
Parish Council Information Processing
The Parish Council has notified the Information Commissioner that personal information may need to be processed for the following purposes:
To carry out our statutory duties
To promote our services
To undertake fundraising
To maintain our accounts and records
To manage and support our staff
Publication of the Parish Council Newsletter
Crime Prevention and Prosecution of Offenders
Complete details of the Parish Council's current entry on the Data Protection Register can be found on the Home page of the Information Commissioner's web site. Select the option to **Search Register** and when the search form is displayed type Walton Parish Council into the Name box and then click on **Search**

Adopted by Walton Parish Council on 11.05.2018
Latest review: January 10th 2025 Parish Council Meeting. Signed: Chair.