

HENFIELD PARISH COUNCIL

DATA PROTECTION POLICY

Henfield Parish Council recognises its responsibility to comply with the Data Protection Act 1998 and the General Data Protection Regulations (GDPR) 2018. The act and regulations regulate the use of personal data. The Act applies to 'personal data' that is data relating to a living person who can be identified from that data.

THE DATA PROTECTION ACT:

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:

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 and free of charge. As a local authority Henfield 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.

Henfield Parish Council has appointed the Clerk as the designated Data Protection Officer.

When dealing with personal data, Henfield Parish 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.
- **IT IS PROCESSED FOR SPECIFIED PURPOSES ONLY** This includes third parties who process Council data (A&B Matters and Barclays online banking).
- **IT IS 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.
- **IT IS ACCURATE AND KEPT UP TO DATE** Personal data should be accurate, if it is not it should be corrected.
- **IT IS NOT KEPT LONGER THAN IT IS NEEDED**
- **IT IS PROCESSED IN ACCORDANCE WITH THE RIGHTS OF INDIVIDUALS**
This means that individuals must be informed, upon request, of all the information held about them.
- **IT IS 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

Henfield 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. If, for example, a member of the public gives their phone number to staff or a member of Henfield Parish Council, this will only be used for the purpose it has been given and will not be disclosed to anyone else. Data may be collected via the Parish Council's website.

The webpages contain policy statements about how the data will be stored and used.

STORING AND ACCESSING DATA

Henfield Parish Council may hold personal information about individuals such as their addresses and telephone numbers. These are kept in a secure location at the Parish Office and are not available for the public to access. All data stored on a computer is password protected.

Once data is no longer required, if it is out of date or has served its use, it will be archived or disposed of according to GDPR.

The Parish Council is aware that people have the right to request to access any information that is held about them. And be given a description of the personal data, the reasons it is being processed, and whether it will be given to any other organisations or people.

SUBJECT ACCESS REQUEST

An individual who makes a request is entitled to be:

- told whether any personal data is being processed;
- given a copy of the information comprising the data; and given details of the source of the data (where this is available).

If a person requests to see any personal data that is being held about them,

- They must be sent all of the information that is being held about them on paper or electronically
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
If a request is refused, a reason must be given.

An individual may request that their data is rectified or erased. If appropriate this will be carried out.

DISCLOSURE OF INFORMATION

If an elected member of the council, for example a councillor, 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.

If for instance someone has made a complaint about overhanging bushes in a garden, a councillor may access an address and telephone number of the person who has made the complaint, so they can help with the enquiry.

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

CONFIDENTIALITY

Henfield Parish 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 will be informed according to GDPR and an investigation will be conducted.

This policy will be reviewed annually, as well as an annual review of the compliance and effectiveness of the policy.