

# **Edale Parish Council**

## **DATA PROTECTION POLICY**

**Adopted 12<sup>th</sup> October 2016**

### **The Data Protection Act**

#### **Policy statement**

Edale Parish Council is committed to a policy of protecting the rights and privacy of individuals in accordance with The Data Protection Act 1998. The policy applies to all individuals, members and staff of Edale Parish Council. Any breach of The Data Protection Act 1998 is considered to be an offence and in that event, disciplinary procedures apply.

As a matter of good practice, other organisations and individuals working with Edale Parish Council and who have access to personal information, will be expected to have read and comply with this policy. It is expected that any staff who deal with external organisations will take responsibility for ensuring that such organisations sign a contract agreeing to abide by this policy.

#### **Legal Requirements**

Data are protected by the Data Protection Act 1998, which came into effect on 1 March 2000. Its purpose is to protect the rights and privacy of individuals and to ensure that personal data are not processed without their knowledge, and, wherever possible, is processed without their consent.

The Act requires Edale Parish Council to register the fact that personal data is held and to acknowledge the right of 'subject access' – voluntary and community group members and staff must have the right to a copy of their own data.

#### **Managing Data Protection**

Edale Parish Council will ensure that their details are registered with the Information Commissioner.

#### **Purpose of data held by Edale Parish Council**

Data may be held by Edale Parish Council for the following purposes:

1. Staff Administration
2. Fundraising
3. Realising the Objectives of Edale Parish Council
4. Accounts & Records
5. Advertising, Marketing & Public Relations
6. Information and Databank Administration
7. Journalism and Media
8. Processing For Not For Profit Organisations
9. Research
10. Volunteers

## **Data Protection Principles**

In terms of the Data Protection Act 1998, Edale Parish Council are the ‘data controller’, and as such determine the purpose for which, and the manner in which, any personal data are, or are to be, processed. Edale Parish Council must ensure that they have:

### **1. Fairly and lawfully processed personal data**

Edale Parish Council will always put their heading on all paperwork, stating their intentions on processing the data and state if, and to whom, they intend to give the personal data. Also provide an indication of the duration the data will be kept.

### **2. Processed for limited purpose**

Edale Parish Council will not use data for a purpose other than those agreed by data subjects. If the data held by Edale Parish Council are requested by external organisations for any reason, this will only be passed if data subjects agree. Also external organisations must state the purpose of processing, agree not to copy the data for further use and sign a contract agreeing to abide by The Data Protection Act 1998 and Edale Parish Council Data Protection Policy.

### **3. Adequate, relevant and not excessive**

Edale Parish Council will monitor the data held for their purposes, ensuring they hold neither too much nor too little data in respect of the individuals about whom the data are held. If data given or obtained are excessive for such purpose, they will be immediately deleted or destroyed.

### **4. Accurate and up-to-date**

Edale Parish Council will make every attempt to keep the data held up-to-date, accurate and relevant. All amendments will be made immediately and data no longer required will be deleted or destroyed. Individuals should notify us of any changes, to enable personnel records to be updated accordingly. It is the responsibility of the Edale Parish Council to act upon notification of changes to data, amending them where relevant.

### **5. Not kept longer than necessary**

Edale Parish Council discourage the retention of data for longer than it is required. All personal data will be deleted or destroyed by Edale Parish Council after one year after it ceases to be relevant to the Council.

### **6. Processed in accordance with the individual’s rights**

All individuals that Edale Parish Council hold data on have the right to:

- Be informed upon request of all the information held about them within 40 days.
- Prevent the processing of their data for the purpose of direct marketing.
- The removal and correction of any inaccurate data about them.

## 7. Secure

Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of data.

All Edale Parish Council computers must have a log in system which allows only authorised staff to access personal data. All personal and financial data is secured by login or kept in a secure filing cabinet depending upon its nature and can only be accessed by the Clerk. When staff members are using the laptop computer out of the office / home care should always be taken to ensure that personal data on screen is not visible to strangers.

## 8. Not transferred to countries outside the European Economic Area, unless the country has adequate protection for the individual.

Data must not be transferred to countries outside the European Economic Area without the explicit consent of the individual. The Association takes particular care to be aware of this when publishing information on the Internet, which can be accessed from anywhere in the globe. This is because transfer includes placing data on a web site that can be accessed from outside the European Economic Area.

## Confidentiality

Edale Parish Council councillors and 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.

Signed by the Chair of Edale Parish Council meeting of the 12<sup>th</sup> October 2016

Signature:

Name: Tony Favell

Minute reference: 16/10/8.3