

Burton Agnes Parish Council

Information and Data Protection Policy

Introduction

In order to conduct its business, Burton Agnes Parish Council processes a range of data, both relating to its own operations and on behalf of partners. Broadly this data comprises:

- * Data shared in the public arena about Parish Council services and mode of operation, and information the Parish Council is required to make publicly available;
- * Confidential information and data not yet in the public arena, for example ideas or policies being worked up;
- * Confidential and/or commercially sensitive data from or about other organisations;
- * Personal data concerning current, past and potential employees, Councillors and volunteers;
- * Personal data concerning individuals who contact the Parish Council.

Burton Agnes Parish Council will manage responsibly all data it handles and will respect the confidentiality of its own data, of that belonging to partner organisations and of that relating to members of the public. It will comply fully with its legal obligations under data protection legislation relating to personal and sensitive data and will keep and process any personal information it holds in accordance with its legal obligations.

Burton Agnes Parish Council will be prepared to make all information which is not personal, confidential or commercially sensitive, available to partners and members of the community.

General Data Protection Regulation 2018

The General Data Protection Regulation (GDPR) which becomes law on 25 May 2018 will, like the Data Protection Act 1998, seek to strike a balance between the rights of individuals and the sometimes competing interests of those, such as the Parish Council, with a legitimate reason for using personal information.

In meeting its responsibilities under the GDPR the Parish Council will ensure that all personal data it holds is:

- * Processed fairly, lawfully, and in a transparent manner to the data subject;
- * Collected for specified, explicit and legitimate purposes and not subsequently used for a purpose unconnected with those purposes;
- * Relevant and limited to what is necessary in relation to the purposes for which they are processed;
- * Accurate and, where necessary, kept up to date;
- * Kept in a form which permits identification of data subjects for no longer than is necessary for the purpose for which the personal information was collected;

- * Kept secure and protected against unauthorised or unlawful processing and against accidental loss, damage or destruction.

Data Protection Terminology

Data subject - means the person whose personal data is being processed.

That may be an employee, prospective employee, associate or prospective associate of BTC or someone transacting with it in some way, or an employee, Member or volunteer with one of our clients, or persons transacting or contracting with one of our clients when we process data for them.

Personal data - means any information relating to a natural person or data subject that can be used directly or indirectly to identify the person.

It can be anything from a name, a photo, and an address, date of birth, an email address, bank details, and posts on social networking sites or a computer IP address.

Sensitive personal data - includes information about racial or ethnic origin, political opinions, and religious or other beliefs, trade union membership, medical information, sexual orientation, genetic and biometric data or information related to offences or alleged offences where it is used to uniquely identify an individual.

Data controller - means a person who (either alone or jointly or in common with other persons) (e.g. Town Council, employer, council) determines the purposes for which and the manner in which any personal data is to be processed.

Data processor - in relation to personal data, means any person (other than an employee of the data controller) who processes the data on behalf of the data controller.

Processing information or data - means obtaining, recording or holding the information or data or carrying out any operation or set of operations on the information or data, including:

- organising, adapting or altering it
- retrieving, consulting or using the information or data
- disclosing the information or data by transmission, dissemination or otherwise making it available
- aligning, combining, blocking, erasing or destroying the information or data. regardless of the Technology used.

Personal Information

Burton Agnes Parish Council processes personal data:

- * to fulfil its duties as an employer as required by law;
- * to undertake its lawful business and duties as a public body and maintaining records required by law;
- * to process information, including the recording and updating of details about its Councillors, employees, partners and volunteers;
- * to record information about individuals who contact it for information, to access a service or to make a complaint;
- * to carry out Council administration.

Where appropriate, and governed by necessary safeguards, the Parish Council may carry out the above processing jointly with other appropriate bodies from time to time.

In accordance with the GDPR, Burton Agnes Parish Council will ensure that at least one of the following conditions is met for personal information to be considered fairly processed:

- * The individual has consented to the processing;
- * Processing is necessary for the performance of a contract or agreement with the individual;
- * Processing is required under a legal obligation;
- * Processing is necessary to protect the vital interests of the individual;
- * Processing is necessary to carry out public functions;
- * Processing is necessary in order to pursue the legitimate interests of the data controller or third parties.

Sensitive Personal Information

Before processing sensitive personal information, the Parish Council will ensure that at least one of the following conditions is met:

- * The explicit consent of the individual has been given;
- * Processing of the data is required by law for employment purposes;
- * Processing is required to protect the vital interests of the individual or another person.

Who is responsible for protecting a person's personal data?

The Parish Council as a corporate body has ultimate responsibility for ensuring compliance with the Data Protection legislation. The Council has delegated this responsibility day to day to the Clerk.

- Email: (jen@jehbooks.co.uk)
- Phone: (07542874957)
- Correspondence: Clerk to Burton Agnes Parish Council, 10 Grimston Road, Hunmanby, Filey YO14 0NF

The Parish Council will give guidance of personal data to employees, councillors, partners and volunteers through a Privacy Notice and ensure that individuals about whom information is kept are aware of their rights and have easy access to that information on request.

Personal Information Provided to the Parish Council

Personal information provided to the Parish Council (such as name, address, email address and telephone number) will be processed and stored so that it is possible for the Parish Council to contact, respond to or act on a request from the individual. By contacting Burton Agnes Parish Council, individuals are deemed to be giving consent for the personal data they provide to be used and processed in accordance with this policy, although wherever practical, specific written consent will be sought.

It is the responsibility of those individuals contacting the Parish Council to ensure that the Parish Council is able to keep their personal data up to date.

Personal information provided will not be shared with, or provided to, any third party or used for any purpose other than that for which it was provided.

The Parish Council does not use automated decision making or profiling of individual personal data.

Information Security

The Parish Council will take all reasonable steps to protect personal data from unauthorised access, loss, manipulation, falsification and unauthorised disclosure. Data will be kept only for the purpose for which it was collected or provided, and only for as long as required for that purpose. It will then be deleted.

Children

No data relating to a child (under 13) will be processed without the express written consent of the parent/guardian of the child concerned.

Rights of a Data Subject

Access to information

Individuals have the right to request access to the information the Parish Council holds on them. This can be done by contacting the Parish Clerk.

Information Correction

If an individual considers the information held about them is incorrect, they should contact the Parish Clerk to have it corrected/updated.

Information Deletion

If an individual wishes the Parish Council to delete information held about them they should contact the Parish Clerk.

Right to Object

If an individual believes that their data is not being processed for the purpose for which it was collected or provided, they may object by contacting the Parish Clerk.

Complaints

If an individual has a complaint regarding the way in which their personal data has been processed they may make a complaint to the Parish Clerk or the Information Commissioner's Office casework@ico.org.uk Tel 03031231113

Making Information Available

The Parish Council will make as much information about its activities as possible routinely available on its website.

Statutory notice of all formal meetings of the Parish Council is posted on the Parish Website. The Parish Council publishes an annual programme of meetings in December each year. All formal meetings are open to residents and the press as stated in the Parish Council's Standing Orders which are available on the Parish website. The rare circumstances under which it may be necessary to discuss agenda items in private, and the procedure used are also set out in Standing Orders.

Written records will be kept of any decisions taken by the Council out of committee in advance of a formal meeting, for example responses to planning applications which cannot be delayed until the next full meeting, and these will be noted at the next full meeting.

The Council will be pleased to facilitate special arrangements on request for persons who do not have English as their first language or those with hearing or sight difficulties.

Data Transparency

The Parish Council will act in accordance with the Code of Recommended Practice for Local Authorities on Data Transparency (2011) which sets out the key principles for local authorities in fostering greater transparency through the publication of public data.

The Government has issued a further Code of Recommended Practice on Transparency, compliance with which is compulsory for Parish Councils, such as Burton Agnes Parish Council, with a turnover of less than £25,000 per annum.

In accordance with this Code, Burton Agnes Parish Council will publish the following information on its website :

Annually

- * All transactions above £100
- * End of year accounts
- * Annual Governance Statements
- * Internal Audit Reports
- * List of Councillors

For Each Meeting

- * Agenda no later than 3 clear days before the meeting;
- * Draft minutes of the meeting within a month of the meeting.

Adopted by Burton Agnes Parish Council on...May 2018.....

Review Date:May 2019.....