

Data Protection Act 2018

1. Background and relevance

The Act comes into force 25th May 2018 and the Office of the Information Commissioner expects data controllers to be compliant before that date.

This Act replaces the Data Protection Act 1998

The Act applies to 'personal data' that is data relating to a living person who can be identified from that data.

'Processing data' means any operation performed on that personal data such as collection, recording, use.

The Parish Council does have data that relates to living individuals and does process data.

New or replacement policies should be considered as necessary – see end notes.

2. Information Audit

The type of information the Council holds tends to be limited to name, address, telephone number and email address.

More detailed information is held for employees & councillors, (eg staff employment details & contracts, councillors' election registration forms & Registers of Interests.

In the normal course of business the Parish Council will receive personal data in connection with the following:

- Administration of employment matters – data shared with HMRC
- Correspondence sent to the Council – email, telephone, letter
- Contact details for local organisations – data shared with webmaster
- Contact details and information relevant to Leases and user agreements – data shared with council solicitor, sometimes Land Registry
- Information supplied for the council section on the village website
- Information supplied for inclusion in Church Broughton Village Newsletter

Data relating to professional or business details in connection with the following:

- Auditing – data shared with external & internal auditors
- Insurance
- Contact details & business information from suppliers & contractors

Note: the Data Protection Act does not apply to the records of those who are interred at the cemetery.

The Council is sometimes sent a copy of the electoral roll with updates through the year. The Data Protection issues associated with the electoral roll are the responsibility of South Derbyshire District Council.

Church Broughton parish Council Data Protection & GDPR Guidance Notes 2018 Services relating to children – the Council does not have any services directly relating to children. It is aware that should that circumstance change, the relevant Data Protection issues will need to be taken into consideration.

3. Sensitive data

The Act requires 'sensitive data' to be treated differently. Categories of sensitive data includes racial or ethnic origins, political opinions, religious beliefs, health issues.

The Parish Council does not collect such data.

Where the Council carries out village wide surveys, such as in the Neighbourhood Plan or a Parish Plan, the responses are anonymous and questions are not generally asked on a topic that is classified as sensitive.

4. Storage of data

All council paper documents are stored in locked cabinets in the parish office.

All computer records are stored on a password protected laptop with anti-virus software.

The Parish Council does utilise cloud storage .

5. How the data is used

Data is only used for the purpose it has been supplied.

Data is not passed onto a third party without the express consent of the data subject.

The Council does not routinely share data. It does not sell data.

6. Subject access requests

A request for a copy of information held can be made.

There is a prescribed process. Response time will reduce to one month under the new GDPR.

7. Data Protection Officer – Parish Councils are exempt from allocating an officer. Any queries please contact Clerk or Chairman