



## Highclere Parish Council Data Protection Policy

Revised: 01 May 2021

### Introduction

Highclere Parish Council is fully committed to compliance with the requirements of the UK Data Protection Regulations which came into force on the 1st January 2021.

The council will therefore follow procedures that aim to ensure that all employees, elected members, contractors, agents, consultants, partners or other servants of the council who have access to any personal data held by or on behalf of the council, are fully aware of and abide by their duties and responsibilities under the Regulations.

### Statement of policy

In order to operate efficiently, The Parish Council has to collect and use information about people with whom it works. These may include members of the public, current, past and prospective employees, clients and customers, and suppliers. In addition, it may be required by law to collect and use information in order to comply with the requirements of central government. This personal information must be handled and dealt with properly, however it is collected, recorded and used, and whether it be on paper, in computer records or recorded by any other means there are safeguards within the Regulations to ensure this.

The Parish Council regards the lawful and correct treatment of personal information as very important to its successful operations and to maintaining confidence between the council and those with whom it carries out business. The council will ensure that it treats personal information lawfully and correctly.

### The principles of data protection

The UK GDPR sets out seven key **Principles** of good practice. These Principles are legally enforceable.

- Lawfulness, fairness and transparency
- Purpose limitation
- Data minimisation
- Accuracy
- Storage limitation
- Integrity and confidentiality (security)
- Accountability

## **Rights of the individual.**

The UK GDPR provides the following rights for individuals:

1. The right to be informed
2. The right of access
3. The right to rectification
4. The right to erasure
5. The right to restrict processing
6. The right to data portability
7. The right to object
8. Rights in relation to automated decision making and profiling

The Regulations provide conditions for the processing of any personal data and make a distinction between **personal data** and **“sensitive” personal data**.

Personal data is defined as, data relating to a living individual who can be identified from:

- That data;
- That data and other information which is in the possession of, or is likely to come into the possession of the data controller and includes an expression of opinion about the individual and any indication of the intentions of the data controller, or any other person in respect of the individual.

Sensitive personal data is defined as personal data consisting of information as to:

- Racial or ethnic origin;
- Political opinion;
- Religious or other beliefs;
- Trade union membership;
- Physical or mental health or condition;
- Sexual life;
- Criminal proceedings or convictions.

## **Handling of personal/sensitive information**

The Parish Council will, through appropriate management and the use of criteria and controls:-

- Observe fully conditions regarding the fair collection and use of personal information;
- Meet its legal obligations to specify the purpose for which information is used;

- Collect and process appropriate information and only to the extent that it is needed to fulfil operational needs or to comply with any legal requirements;
- Ensure the quality of information used;
- Apply checks to determine the length of time information is held;
- Take appropriate measures to safeguard personal information;
- Ensure that the rights of people about whom the information is held can be fully exercised under the Act.

These include:

- The right to be informed that processing is being undertaken;
- The right of access to one's personal information within the statutory 40 days;
- The right to correct, rectify, block or erase information regarded as wrong information.

### **Implementation**

- The Clerk of Highclere Parish Council is responsible for ensuring adherence with the UK GDPR.

### **Notification to the Information Commissioner**

The Information Commissioner maintains a public register of data controllers. The Parish Council is registered as such.

The UK GDPR requires every data controller who is processing personal data, to notify and renew their notification, on an annual basis. Failure to do so is a criminal offence.

The Information Officer will review the Data Protection Register annually, prior to notification to the Information Commissioner.

Any changes to the register must be notified to the Information Commissioner, within 28 days. To this end, any changes made between reviews will be brought to the attention of the Information Officer immediately.

### **Website and Cookies**

See the Highclere Parish Council website: Terms and Conditions; Your privacy is of great importance to us. Any personal information you send us via our website is kept securely and we will never divulge your personal information to other organisations, unless to satisfy a specific request you have made of us. Any personal information you voluntarily send us may be kept for up to 1 year to allow us to track the actions your comments may have caused us to take.