



Abberton and Langenhoe Parish Council Data Protection Policy 2022 – 2023

This policy was agreed at a meeting of Abberton and Langenhoe Parish Council held on 5th December 2022 (Min 157/22) and 11th December 2023 (Min 143/23). Next review due December 2024

Data Protection and Information Security Policy

Abberton and Langenhoe Parish Council (ALPC) recognises its responsibility to comply with The Data Protection Act 2018, which is the UK's implementation of the General Data Protection Regulation (GDPR). The 2018 act regulates the use of personal data. This does not have to be sensitive data; it can be as little as a name and address.

The Data Protection Act 2018

The Data Protection Act 2018 sets out high standards for the handling of personal information and protecting individuals' rights for privacy. It also regulates how personal information can be collected, handled and used. The Data Protection Act applies to anyone holding personal information about people, electronically or on paper.

The key principles of the Data Protection Act 2018

Everyone responsible for using personal data has to follow strict rules called 'data protection principles'. They must make sure the information is:

- used fairly, lawfully and transparently
- used for specified, explicit purposes
- used in a way that is adequate, relevant and limited to only what is necessary
- accurate and, where necessary, kept up to date
- kept for no longer than is necessary
- handled in a way that ensures appropriate security, including protection against unlawful or unauthorised processing, access, loss, destruction or damage.

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, particularly if addressed to a child and free of charge.

As a local authority, ALPC has a number of procedures in place to ensure that it complies with The Data Protection Act 2018 and the General Data Protection Regulation 2018 when holding personal information. ALPC has appointed the clerk as the designated Data Protection Officer.

The clerk will receive training for this role, as required.

When dealing with personal data, ALPC staff and Councillors must ensure that data is:

- processed fairly and lawfully – this means that personal information should only be collected from individuals if staff and Councillors have been open and honest about why they want the personal information
- processed for specified purposes only

- 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
- accurate and kept up to date – personal data should be accurate, if it is not, it should be corrected
- not kept longer than it is needed – data no longer needed will be shredded or securely disposed
- processed in accordance with the rights of individuals – individuals must be informed, upon request, of all the personal information held about them
- kept securely – only staff and Councillors can access the data. It cannot be accessed by members of the public.

Collecting data

ALPC 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 ALPC, 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 a contact through ALPC's website.

Storing and accessing data

ALPC may hold information about individuals such as their addresses and telephone numbers. Except for the main contact details for the Councillors the information about individuals will be securely kept and are not available for public access. Councillor contact information published shall only include their council email address unless specific consent is given to publish further contact information.

Once data is not needed any more, is out of date or has served its use and falls outside it will be shredded or securely deleted. ALPC is aware that people have the right to access any information that is held about them. If a person requests to see any data that is being held about them:

- they must be sent all of the information that is being held about them
- 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 1 month.

How long it should take

ALPC must give you a copy of the data they hold about you as soon as possible, and within 1 month at most.

In certain circumstances, for example particularly complex or multiple requests, the organisation can take a further 2 months to provide data. In this case, they must tell you:

- within 1 month of your request
- why there's a delay

- if an individual requests that their data is corrected or erased, this will be carried out.

Disclosure of personal 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

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.

If a data breach is identified ALPC will inform the ICO 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.

How much it costs

Requests for information are usually free. However, ALPC can charge an administrative cost in some circumstances, for example if:

- you are asking for a large amount of information
- your request will take a lot of time and effort to process.

Make a complaint

If you think ALPC has misused your data or it has not kept it secure, you should contact them and tell them.

If you're unhappy with their response or if you need any advice, you should contact the Information Commissioner's Office (ICO).