

# **BAMPTON PARISH COUNCIL**

## **DATA PROTECTION POLICY**

To operate, Bampton Parish Council needs to collect and use personal information about its employees, elected members, clients and customers, suppliers and others with whom it communicates. We have a responsibility to ensure that this personal information is handled in accordance with statutory requirements; however it is collected, recorded and used; whether on paper, in a computer, or in other material. The Council will follow the eight Data Protection Principles of the Data Protection Act 1998 to ensure that this personal information is:

1. Fairly and lawfully processed;
2. Obtained and processed for one or more specific purposes;
3. Adequate, relevant and not excessive in relation to those purpose(s);
4. Accurate, and where necessary kept up to date;
5. Not kept longer than necessary;
6. Processed in accordance with the data subject's rights;
7. Secure against unauthorised and unlawful processing and accidental loss or destruction;
8. Not transferred to countries without adequate protection for the rights and freedoms of data subjects in relation to the processing of personal data.

Data protection is a responsibility shared by all employees and elected members but **The Clerk to the Council** has overall responsibility for ensuring the effective implementation of this Policy. He/she will report to the Council on all matters relating to data protection and:

- Review, renew and amend the Council's notification.
- Monitor compliance with established policies and standards.
- Provide general advice and guidance on data protection matters.
- Update this policy.

**Implementation** of the data protection principles mean that:

- Where the Council requires the consent of an individual to hold/process information about him/her, they will be informed of all the purpose(s) for which the data is to be used by the processor i.e. the Council.
- Personal data will only be used for the purpose(s) advised to the individual at the time they supplied the information.
- As far as possible, personal data held about an individual, including opinions and/or statements, will be kept up to date and accurate. It will be adequate, relevant and not excessive in relation to the purpose(s) for which it is held. Once it is no longer relevant it will be destroyed.
- Personal data will not be disclosed to unauthorised personnel – depending on the nature of the information these can include people outside the Council, as well as Council employees and Elected Members.
- Any Freedom of Information (Fol) request by an individual for information about himself will be handled as a Data Subject Access Request. Where a request is made that specifically asks for information about a third party, or where responding to a request would involve disclosure of personal information about a third party, we will apply the Data Protection Principles when considering disclosure.
- Relevant physical and electronic security measures will be taken to ensure that personal data is kept secure at all times.

## **Data Subject Notices**

Everyone has the right on written request (irrespective of age) to:

1. See a copy of information held about them.
2. Prevent processing likely to cause damage or distress.
3. Prevent processing for direct marketing purposes.
4. Request a review of an automated decision.
5. Apply to the Court for rectification, blocking, erasure and destruction of personal information.
6. Request an assessment by the Information Commissioner's Office.

Where the Council receives such a request the Clerk will deal with it as soon as possible to ensure a response is sent within 40 days.

## **Sensitive Personal Data**

Where sensitive personal information is held or used, ie information relating to an individual's race, political opinions, religion, trade union membership, 'physical or mental health condition', sexual life and criminal proceedings or convictions; consent for processing will be obtained unless the purpose is covered in Section 3 of the Data Protection Act 1998.

## **Training**

Everyone managing and/or handling personal information will be appropriately trained.

## **Evaluation and Review**

This policy will be reviewed by the Clerk to the Council on a regular basis to ensure that it continues to:

- Meet the needs of the staff of the Council
- Be practical to implement
- Embody new developments in good practice and technology

## **Chairman**

## **Date**