

NETHER ALDERLEY PARISH COUNCIL

Data Protection Policy and Information Security Policy

The Data Protection Policy

Nether Alderley Parish Council recognises its responsibility to comply with the Data Protection Act 1998. The 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

The Data Protection Act 1998 sets out high standards for the handling of personal information and protecting individual's rights for privacy. It also regulates how personal information can be collated, handled and used. The Data Protection Act applies to anyone holding personal information about people, electronically or on paper.

As a local Authority, Nether Alderley Parish Council has a number of procedures in place to ensure that it complies with The Data Protection Act 1998, when holding personal information. The Parish Council has also notified the Information Commissioner that it holds personal data about individuals. The Parish Council has considered Legal Topic note 38, produced by the National Association of Local Councils, 2007, relating to Data Protection and Parish Councils.

When dealing with personal data, Nether Alderley Parish Council staff and Councillors must ensure that:

- **Data is processed fairly and lawfully**
This relates to personal information only being collected from individuals where staff and Councillors have been open and honest about why they want the personal information.
- **Data is processed for specified purposes only**
- **Data is relevant to what it is needed for**
Data is monitored so that too much or too little is not kept – only that data that is needed should be held
- **Data is accurate and kept up to date**
Personal data should be corrected if it is not accurate
- **Data is not kept longer than it is needed**
- **Data is processed in accordance with the rights of individuals**
Individuals must be informed, upon request, of all the information held about them
- **Data is kept securely**
Only staff and Councillors can access the data. It cannot be accessed by members of the public.

Storing and Accessing Data

Nether Alderley Parish Council recognises its responsibility to be open with people when taking personal details from them. This means that Councillors and staff must be honest about why they want a particular piece of personal information. If, for example, a member of the public gives their phone number to staff or a member of Nether Alderley Parish Council, this will only be used for the purpose it has been given and will not be disclosed to anyone else without the person's permission.

Nether Alderley Parish Council may hold personal information about individuals, such as names, addresses and telephone numbers. These are not available for public access. All data stored on the Clerk's computer is password protected. All data stored in the Parish Hall is within a locked filing cabinet or safe. Once data is not needed any more, is out of date or has served its use and falls outside

the retention time of the Parish Council's document retention policy, it will be shredded or securely deleted from the Clerk's computer. The Parish Council addresses business continuity in its Risk Assessment.

- The Parish Council is aware that people have the right to access any personal information held about them. If a person requests to see any data that is being held about them. They must be sent all of the personal information that is being held about them
- There must be an explanation for why it has been stored
- There must be a list of who has seen it
- The recipient can receive information regarding the source of the data.
- A response must be sent within 21 days.
A fee to cover photocopying and postage charges will be charged to the person requesting the information. This fee will be agreed by the Parish Council at the time.

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. For example, if a local resident has made a complaint about something local, a Councillor may access the name and address of the complainant so they can help with the enquiry. However, before they access any sensitive information about a person, they would need consent to do so from the Parish Clerk. Data should never be used for political reasons unless the data subjects have consented.

Confidentiality

Nether Alderley Parish Council staff and Councillors 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.

Breach of Security

In event of a breach of security, the matter will be referred to the Parish Council and reported to the relevant authorities.

Staff and Councillor Awareness of Data Protection and Information Security Policy

The Policy, and Data protection requirements, will be reviewed annually by the Parish Council prior to the time of renewal of Notification and to serve to update Councillors on requirements. All Councillors will receive a copy of Legal topic note 38 'Data Protection', 2007, for reference when dealing with potential Data Protection matters. The Clerk will monitor Council activities through the year and will notify the Information Commissioner's Office if he/she perceives that changes may need to be made to the notification.

Reviewed: December 2017

Signed: _____
Chairman