

POTTER HEIGHAM PARISH COUNCIL - Data Protection Policy

Potter Heigham Parish Council recognises its responsibility to comply with the Data Protection Act and the General Data Protection Regulation. The act and the regulation, regulates the use of personal data and does not have to be sensitive data.

Potter Heigham Parish Council is a public authority and has certain powers and duties. Most personal data is processed for compliance with a legal obligation which includes the discharge of statutory functions and powers. Sometimes when exercising these powers or duties it is necessary to process personal data of residents or people using services. The council will always take into account their interests and rights.

This Data Protection Policy sets out individuals rights and the obligations of the council to ensure data is managed in accordance with legal requirements.

PERSONAL DATA – WHAT IS IT?

“Personal data” is any information about a living individual which allows them to be identified from that data (for example a name, photographs, videos, email address or address). Identification can be by the personal data alone or in conjunction with any other personal data.

THE DATA PROTECTION ACT

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

THE GENERAL DATA PROTECTION REGULATION

The General Data Protection Regulation 2018 says that the information provided to people about how the council 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.

DATA PROTECTION PRINCIPLES

The General Data Protection Regulation identifies the following principles, and Potter Heigham Parish Council staff and councillors must ensure that:

- **Personal data shall be processed lawfully, fairly and in a transparent manner.** This means that information should only be collected from individuals if staff and councillors have been open and honest about why they want the information.
- **It is processed for Specified Purposes only.** The personal data will be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.
- **It is relevant to what it is needed for.** The collection of personal data must adequate, relevant and limited to what is necessary compared to the purpose(s) data is collected for. Data will be monitored so that too much or too little is not kept.
- **Personal data is Accurate and Kept up to date.** All reasonable steps must be taken to ensure personal data is accurate and is erased or rectified at first opportunity.
- **Personal Data is not kept longer than is needed.** Personal Data is processed in Accordance with the Individuals rights. Individuals must be informed, upon request of all the information held about them.
- **Personal Data is kept securely.** Only staff and councillors can access the data, it should be stored securely so it cannot be accessed by members of the public.
- **Personal Data cannot be transferred to a country outside the United Kingdom.** Unless that country or territory ensures an adequate level of protection for the rights and freedoms of individuals in relation to the processing of personal data.

WHAT CAN DATA BE USED FOR:

- To deliver public services including to understand needs and communication of relevant services
- To confirm identity to provide some services
- To contact by post, email, telephone or using social media (e.g., Facebook, Twitter, WhatsApp)
- To help us to build up a picture of how the council is performing
- To prevent and detect fraud and corruption in the use of public funds and for law enforcement functions
- To enable us to meet all legal and statutory obligations and powers including any delegated functions
- To carry out comprehensive safeguarding procedures (including due diligence and complaints handling) in accordance with best safeguarding practice from time to time with the aim of ensuring that all children and adults-at-risk are provided with safe environments and generally as necessary to protect individuals from harm or injury
- To maintain our own accounts and records
- To seek views, opinions or comments
- To notify of changes to our facilities, services, events and staff, councillors and role holders
- To send communications which have been requested or of interest, these may include information about campaigns, appeals, other new projects or initiatives
- To process relevant financial transactions including grants and payments for goods and services supplied
- To allow the statistical analysis of data so the council can plan the provision of services
- Our processing may also include the use of CCTV systems for the prevention and prosecution of crime

COLLECTING DATA

Potter Heigham Council recognises its responsibilities 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. For example, a member of the public gives a telephone number to staff or councillor of Potter Heigham Parish Council, this will be used for the purpose it has been given and will not be disclosed to anyone else. Data that may be collected includes:

- Names, titles, and aliases, photographs
- Contact details such as telephone numbers, addresses, and email addresses
- Where they are relevant to the services provided by a council, the council may process demographic information such as gender, age, marital status, nationality, education/work histories, academic/professional qualifications, hobbies, family composition, and dependents
- Where activities are paid for such as use of a council hall, financial identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers, and claim numbers
- The data the council process may include sensitive personal data or other special categories of data such as racial or ethnic origin, mental and physical health, details of injuries, medication/treatment received, political beliefs, trade union affiliation, genetic data, biometric data, data concerning and sex life or sexual orientation
- Website data

STORING AND ACCESSING DATA

Potter Heigham Parish Council may hold information about individuals such as their addresses and telephone numbers. These are kept in a secure location at the Parish Clerks place of residence and are not available for public access. All data stored on a computer and backup drives are password protected. All personal data in paper format are in a locked filing cabinet and the key kept in a locked safe.

Potter Heigham Parish Council will keep some records permanently if the council are legally required to do so. The council may keep records for an extended period of time. E.g. financial records minimum period of 8 years to support HMRC audits or provide tax information. Potter Heigham Parish Council may have legal obligations to retain some data in connection with our statutory obligations as a public authority. is permitted to retain data in order to defend or pursue claims. The council will retain some personal data for this purpose as long as the council believe it is necessary to be able to defend or pursue a claim. Data will only be kept for as long as is required. It will be deleted when it is no longer required.

Once data is no longer required, out of date or has served its use, it will be shredded or deleted from the computer/back-up drives.

Potter Heigham Parish Council are 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 will be sent all the information that is being held about them.
- * There will be an explanation for why it is being stored.
- * There will be a list of who has seen it.
- * It will be sent within 1 month
- * Requests that are manifestly unfounded or excessive may be refused or a charge made.
- * If a request is refused, a reason will be given.
- * If an individual request that their data is rectified or erased, this will be carried out.

A person has the right to lodge a complaint with the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

SHARING PERSONAL

This section provides information about the third parties with whom the council might share personal data. These third parties also have an obligation to put in place appropriate security measures and will be responsible directly for the manner in which they process and protect personal data. It is likely that the council will need to share data with some or all of the following (but only where necessary):

- Our agents, suppliers and contractors. E.g. A commercial provider to publish or distribute newsletters on our behalf, maintain our database software
- On occasion, other local authorities or not for profit bodies with which the council may be carrying out joint ventures e.g. in relation to facilities or events for the community.

FURTHER PROCESSING

If the council wish to use personal data for a new purpose, not covered by this Privacy Policy, then a Privacy Notice will be issued explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, will seek prior consent to the new processing.

DISCLOSURE OF INFORMATION

If a councillor needs to access information to carry out their duties, this is acceptable. They are allowed to access information as is necessary and only to be used for that specific purpose. Councillors should consult with the clerk prior to accessing any sensitive information about a person. Data should not be used for political reasons unless the data subjects have consented.

CONFIDENTIALITY

Potter Heigham Parish Council must be aware that when complaints or queries are made, they must remain confidential unless the data subject gives permission otherwise. When handling personal data, this must also remain confidential.

If a data breach is identified the Information Commissioners Office must be informed and an investigation will be conducted.

DATA PROTECTION OFFICER

The council will appoint a data protection officer who is responsible for personal data management including:

- Ensure regular policy reviews are made by the council
- Ensure the council is updated with any legal developments in regards to data protection
- Conduct data audits reviewing the data held by the council and destroying any data no longer needed
- Act as a point of contact regarding data protection queries

DATA PROTECTION OFFICER CONTACT DETAILS

Laura Bateman, Parish Clerk & Responsible Financial Officer
Potter Heigham Parish Council, 5 Sceptre Close, Hellesdon, Norwich NR6 5HE

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