Tanworth in Arden Parish Council Data Protection Policy

Date policy adopted: 21/03/2024 Date for review: March 2025

Tanworth in Arden Parish Council recognises its responsibility to comply with the General Data Protection Regulation. The regulation 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 GENERAL DATA PROTECTION REGULATION:

The General Data Protection Regulations 2018 requires 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, and free of charge. As a local authority Tanworth in Arden Parish Council has a number of procedures in place to ensure that it complies with The General Data Protection Regulations 2018 when holding personal information.

When dealing with personal data, Tanworth in Arden Parish Council staff and Councillors must ensure that:

- **IT IS 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 COLLECTED FOR SPECIFIED PURPOSES ONLY**
- **IT IS 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.
- **IT IS ACCURATE AND KEPT UP TO DATE** Personal data should be accurate, if it is not it should be corrected.
- **IT IS NOT KEPT LONGER THAN IT IS NEEDED**
- **IT IS PROCESSED IN ACCORDANCE WITH THE RIGHTS OF INDIVIDUALS** This means that individuals must be informed, upon request, of all the information held about them.
- **IT IS KEPT SECURELY** This means that only staff and Councillors can access the data, it should be stored securely so it cannot be accessed by members of the public.

COLLECTING DATA

Tanworth in Arden Parish Council 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 Tanworth in Arden Parish Council, 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 the Parish Council's website – the 'Contact Us' form . The website will include a privacy notice about how the data will be stored and used.

SENSITIVE DATA

The Act requires 'sensitive data' to be treated differently. Categories of sensitive data includes racial or ethnic origins, political opinions, religious beliefs, health issues. The Parish Council does not collect such data. Where the Council carries out village wide surveys, such as in the Neighbourhood Development Plan (NDP), the responses are anonymous and questions are not generally asked on a topic that is classified as sensitive.

STORING AND ACCESSING DATA

Tanworth in Arden Parish Council may hold information about individuals such as their addresses and telephone numbers. These are kept in a secure location at the Parish Council's office and are not available for the public to access. All data stored on a computer is password protected. Once data is not needed anymore, if it is out of date or has served its use, it will be shredded or deleted from the computer. The Parish Council 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 one month.
- Requests that are manifestly unfounded or excessive may be refused or a charge made.
- If a request is refused, a reason must be given.
- If an individual request that their data is rectified or erased, this will be carried out.

COMPLIANCE & INCIDENCE MANAGEMENT

All staff and Councillors must comply with information management and security procedures including the maintenance of data confidentiality and data integrity. They are also responsible for the operational security of any information systems they use.

Each staff member and Councillors are responsible for ensuring that no breaches of this policy result from their actions. Failure to comply with this policy by any member of staff or Councillors may invoke our Disciplinary Procedure and may result in disciplinary proceedings.

Any actual or suspected breaches (or the risk of such a breach) in information or data security shall immediately be reported to our DPO, Julie White. She will, in respect of any breach, consider an appropriate incident management plan to include:

- immediately invoking any necessary procedures to contain the breach and limit the adverse consequences;

- assessing any risks associated with the breach to determine the gravity of the breach and whether it is a serious breach of any appropriate legislation or regulations;

- determining what needs to be done when the breach is contained;

- notification to all relevant individuals and bodies such as the Information Commissioner's Office within 72 hours, other third parties such as the police or banks; and

- evaluating the causes of the breach and ensuring that any unsatisfactory procedures are corrected.

INFORMATION AUDIT

The type of information the Council holds tends to be limited to name, address, telephone number and email address. More detailed information is held for employees and Councillors, (e.g. staff employment details, contracts, councillors' election registration forms and Registers of Interests – these Registers are published in full on the Tanworth in Arden DC website).

In the normal course of business, the Parish Council will receive personal data in connection with the following:

- Administration of the allotments – tenants' details
- Administration of employment matters – data shared with HMRC
- Correspondence sent to the Council – email, telephone, letter
- Contact details for local organisations
- Contact details for user groups
- Contact details and information relevant to Leases and user agreements – data shared with council solicitor, sometimes Land Registry
- Information supplied for the council website
- Information supplied for inclusion in newsletters
- Data relating to professional or business details in connection with the following:
    - Auditing – data shared with external & internal auditors

- Insurance
- Contact details & business information from suppliers & contractors

DISCLOSURE OF 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, a councillor may access an address and telephone number of the person who has made the complaint so they can help with the enquiry. They can only do this providing they represent the area that the subject lives in. 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.

SUBJECT ACCESS REQUESTS

Any individual whose data is held by the council may make what is called a 'subject access request', i.e. a request to see what data is actually held about them. All such requests should be addressed in writing to The Clerk who will arrange for the Council to comply promptly with the request and no later than 30 days.

CONFIDENTIALITY

Tanworth in Arden Parish Council 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 the ICO must be informed within 72 hours 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.