

KIRKANDREWS ON ESK PARISH COUNCIL

DATA PROTECTION POLICY

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 personal information can be collected, handled and used. The Data Protection Act applies to anyone holding personal information about people electronically or on paper.

As a local authority Kirkandrews on Esk 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. When dealing with personal data, the Kirkandrews on Esk Parish Council Clerk 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.

Data is processed for specified purposes only

Data 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.

Data is accurate and kept up to date

Personal data should be accurate, if it is not it should be corrected.

Data is not kept longer than it is needed

Data will not be kept longer than it is needed for its original purpose or anticipated needs

Data is processed in accordance with the rights of individuals

This means that individuals must be informed, upon request, of all the personal information held about them.

Data 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.

Storing and accessing data

Kirkandrews on Esk Parish Council recognises its responsibility to be open with people when taking personal details from them. This means that councillors and Clerk 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 the Clerk or a member of Kirkandrews on Esk Parish Council, this will only be used for the purpose it has been given and will not be disclosed to anyone else.

Kirkandrews on Esk Parish Council may hold personal information about individuals such as their addresses and telephone numbers. These will be kept in a secure location at the home or office of the Parish Clerk and are not available for public access. All data stored on the computer used by the Clerk is password protected. Once data is not needed anymore, if it is out of date or has served its use, it will be cross-shredded or deleted from the computer.

The Parish Council is aware that people have the right to access any personal 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 personal 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 40 days

A fee to cover photocopying and postage charges will be charged to the person requesting the personal information. This fee will be agreed by the Council and amended in line with inflation from time to time. Currently this fee must not exceed £10.

Disclosure of personal information

If a Councillor needs to access personal information to help carry out their duties, this is acceptable. They are only able to access as much personal information as necessary and it should only be used for that specific purpose. If, for instance, someone has made a complaint about over hanging 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. They can only do this providing they represent the area that the subject lives in. However, before they access any sensitive personal 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

Kirkandrews on Esk Parish Council 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.

This policy was adopted by Kirkandrews on Esk Parish Council on 14th September 2015

Reviewed: 14th May 2018, to be reviewed annually

Last reviewed 15th May 2023