



# **Shenley Church End Parish Council**

## **Data Protection Policy**

## **Introduction**

Shenley Church End Parish Council recognises its responsibility to comply with the General Data Protection Regulation 2018. It is important that the data that falls within the scope of the Act is processed fairly and lawfully and refers to personal and sensitive data.

When dealing with personal and sensitive data, Shenley Church End Parish Council staff and Councillors must ensure that:

- Data is processed lawfully and fairly
- Data is processed for specified reasons only
- Data is relevant to what is needed
- Data is not kept longer than it is needed
- Data is kept securely
- Data is processed in accordance with the rights of the data subjects

### **Personal Data:**

Shenley Church End Parish Council needs to gather and use certain types of personal information about individuals. This can include Councillors, residents, service users, business contacts, employees and other people the Parish Council has a relationship with or may need to contact. This policy describes the principles by which personal data will be collected, handled and stored to meet the Parish Council's data protection standards and to comply under the legislation. Personal data means information about a living individual from which they can be identified.

### **Sensitive data:**

Includes, but is not confined to, information relating to an individual's racial or ethnic origin, political opinions, religious or other beliefs, trade union membership, health, sex life, criminal proceedings or convictions.

Processing of any data includes the acquisition, storage, manipulation, transfer, deletion and disclosure of the data, and applies to both electronic data and data held on manual records.

### **Informed Consent:**

Informed consent is when an individual clearly understands why their information is needed, who it will be shared with, the possible consequences of agreeing or refusing the proposed use of data and then giving consent for the data to be used.

**Why this policy exists:**

This Data Protection Policy ensures that Shenley Church End Parish Council:

- Complies with data protection law and follows good practice
- Protects the rights of Councillors, staff, residents, customers and stakeholders
- Is open about how it stores and processes individuals data
- Protects itself from the risks of a data breach

**Data Protection Law:**

To comply with the regulations, personal information must be collected in an open and fair manner and used fairly, stored safely and not disclosed unlawfully. This applies regardless of whether data is stored electronically, on paper or on other materials. Personal data must:

- Be processed fairly, lawfully and transparently
- Be obtained only for specified, explicit and legitimate purposes
- Be adequate, relevant and not excessive
- Be accurate and kept up to date
- Not be held for any longer than necessary
- Be protected with integrity and confidentiality
- Shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of Individuals/Service Users in relation to the processing of personal information.

The Parish Council will take every effort to ensure that the above principles are built into its daily practices and activities.

**Responsibilities:**

Everyone who works or volunteers for Shenley Church End Parish Council, as well as members of the Council, have some responsibility for ensuring data is collected, stored and handled appropriately in line with this policy. Shenley Church End Parish Council will ensure that:

- Everyone processing personal information is aware of the sensitivity of the information
- Everyone processing personal information is appropriately supervised
- It will regularly review and audit the ways it hold, manage and use personal information
- It assesses and evaluates its methods and performance in relation to handling personal information
- All staff are aware that a breach of the rules and procedures identified in this policy may lead to disciplinary action being taken against them.
- All Councillors are aware of the principles of data protection, and agree that they will take every effort to ensure that once data is transferred to them from the Parish Council, they engage in proper Data Protection practices.
- Everyone will ensure that no Parish Council documentation is stored on personal computers

**Data Storage:**

Information and records relating to Councillors, residents, service users, business contacts, employees and other people the Parish Council has a relationship will be stored securely and will only be accessible to authorised staff. Where documents are emailed to Councillors for reference these must not be stored on personal devices and any details printed must be disposed of securely.

Information will be kept for as long as needed or as required by statute and will then be disposed of appropriately. The Parish Council has a retention policy to assist with consistent record keeping.

**Responsibility for Data Management:****The Data Controller**

Under the Act, the Data Controller is Shenley Church End Parish Council. As Data Controller the Parish Council ultimately determines for what purposes personal information is held and what it will be used for. The Parish Clerk will carry out the active duties of the Parish Council for data control and staff will handle various aspects of data management and data processing.

**Data Protection Officer**

Shenley Church End Parish Council have appointed the Parish Clerk as Data Protection Officer, who will be responsible for data queries, investigations around misuse of data and implementing and updating policies and procedures

**Staff of the Council**

Staff of the Council will be responsible for data processing and data management, and will act under the guidance of the Parish Clerk. All staff will sign a Data Processing Agreement and are aware that no parish data is to be stored on personal electronic devices.

**Parish Councillors**

All Councillors will sign a Data Processing Agreement and are aware that no parish data is to be stored on personal electronic devices. All Councillors will be issued with a Parish Council email address through which all council related correspondence will be issued. The information included within these emails must not be downloaded to any personal electronic devices. Data that may be held by Councillors in their personal (home or personal electronic devices) records is not considered data held by the Parish Council.

This policy will be updated as necessary to reflect best practice in data management, security and control and to ensure compliance with any changes or amendments made to the General Data Protection Regulation 2018.

In case of queries or questions in relation to this policy please contact the Parish Clerk:

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