

# **Wheatley Hill Parish Council**

## **Data Protection Policy**

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The Data Protection Act 1998 (The Act) sets standards for the handling of personal information and regulates how personal information can be collected and used. The Data Protection Act applies to anyone holding personal information about individuals electronically or on paper.

This policy statement formalises the Council's position and states its commitment to maintaining the confidentiality of personal information.

The Council is registered as a Data Controller under the Act and as such has notified the Information Commissioner that it holds personal data about individuals.

In this statement definitions mean: -

- Personal data – data relating to a living individual who can be identified from that information.
- Processing – in relation to data means obtaining, recording or holding such data or information or carrying out any operation on it including disclosure.
- Data subject – an individual who is the subject of personal data.

When dealing with personal data Members and Officers shall ensure: -

- 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, i.e. 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 is needed. Data no longer required shall be shredded or securely disposed of.
- Data is processed in accordance with the rights of individuals. Individuals must be informed upon request of all the personal information held about them.
- Data is kept securely. Only Members and Officers can access the data. It cannot be accessed by members of the public.

The Council recognises its responsibility to be open with people when taking personal details from them. This means that Members and Officers must be honest why they want a particular piece of personal information. If, for example a member of the public gives their telephone

number to the 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.

The Council may hold personal information about individuals such as their addresses and telephone numbers. These will be securely kept and are not available for public access. Once data is not needed anymore, is out of date or has served its use, it will be shredded or securely disposed of.

The Council acknowledges that people have the right to access any personal information that is held about them. If any person requests to see any data that is being held about them they shall be sent all personal information being held about them within 40 days. The Council will charge a fee of £10 per subject access request.

#### **Disclosure**

If a Member requires access information to carry out their duties, this is acceptable. However, they shall only be 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 assist with the enquiry. Data should never be used for political reasons unless the data subjects have consented.

#### **Confidentiality**

Members and Officers 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.