

## BOSTON SPA PARISH COUNCIL

### DATA PROTECTION POLICY

#### 1. INTRODUCTION

- 1.1 Boston Spa Parish Council is fully committed to compliance with the requirements of the General Data Protection Regulation (GDPR), which came into force on the 25<sup>th</sup> May 2018. The Council will, therefore, follow procedures that aim to ensure that all employees, elected members, contractors, agents, consultants, partners or other servants of the Council that have access to any personal data held by or on behalf of the Council are fully aware of and abide by their duties and responsibilities under the Regulations.

#### 2. STATEMENT OF POLICY

- 2.1 In order to operate efficiently, the Parish Council has to collect and use information about people with whom it works. These may include members of the public, current, past and prospective employees, clients and customers and suppliers. In addition, it may be required by law to collect and use information in order to comply with the requirements of central government. This personal information must be handled and dealt with properly, however it is collected, recorded and used, and whether it be on paper, in computer records or recorded by any other means there are safeguards within the Regulations to ensure this.
- 2.2 The Parish Council regards the lawful and correct treatment of personal information as very important to its successful operation and to maintaining confidence between the Council and those with whom it carries out business. The Council will ensure that it treats personal information lawfully and correctly. To this end, the Council fully endorses and adheres to the principles of data protection as set out in the General Data Protection Regulation.

#### 3. THE PRINCIPLES OF DATA PROTECTION

- 3.1 The GDPR has a number of underlying principles. These include that personal data:
1. Must be processed lawfully, fairly and transparently;
  2. Is only used for a **specific processing purpose** that the data subject has been made aware of and no other, without further consent;
  3. Should be **adequate, relevant and limited** ie only the minimum amount of data should be kept for specific processing;
  4. Must be **accurate** and where necessary, **kept up to date**;
  5. Should **not be stored for longer than is necessary** and that storage is safe and secure;
  6. Should be processed in a manner that ensures **appropriate security and protection**;
- 3.2 The Act provides conditions for the processing of any personal data. It also makes a distinction between **personal data** and **“sensitive” personal data**.

Personal data is defined as data relating to a living individual who can be identified from:

- That data;

- That data and other information, which is in the possession of or is likely to come into the possession of the data controller, and includes an expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual.

Sensitive personal data is defined as personal data consisting of information as to:

- Racial or ethnic origin;
- Political opinion;
- Religious or other beliefs;
- Trade union membership;
- Physical or mental health or condition;
- Sexual life;
- Criminal proceedings or convictions

#### **4. Handling of personal/sensitive information**

4.1 The Parish Council will, through appropriate management and the use of criteria and controls:

- Observe fully conditions regarding the fair collection and use of personal information;
- Meets its legal obligations to specify the purpose for which information is used;
- Collect and process appropriate information and only to the extent that it is needed to fulfil operational needs or to comply with any legal requirements;
- Ensure the quality of information used;
- Apply checks to determine the length of time information is held;
- Take appropriate measures to safeguard personal information;
- Ensure the rights of people about whom the information is held can be fully exercised under the Act;

4.2 These include:

- The right to be informed that processing is being undertaken;
- The right of access to one's personal information within the statutory 40 days;
- The right to correct, rectify, block or erase information regarded as wrong information.

#### **5. IMPLEMENTATION**

5.1 The Clerk of Boston Spa Parish Council is responsible for ensuring adherence with the Data Protection Act.

#### **6. NOTIFICATION TO THE INFORMATION COMMISSIONER**

6.1 The Information Commissioner maintains a public register of data controllers. The Parish Council is registered as such.

6.2 The Data Protection Act 1998 requires every data controller who is processing personal data to notify and renew their notification on an annual basis. Failure to do so is a criminal offence.

- 6.3 The Information Officer will review the Data Protection Register annually, prior to notification to the Information Commissioner.
- 6.4 Any changes to the register must be notified to the Information Commission within 28 days.
- 6.5 To this end any changes made between reviews will be brought to the attention of the Information Officer immediately.

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Adopted at the full Parish Council meeting dated: 16<sup>th</sup> May 2016

Signed .....  
Chairman

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Clerk