

Elvaston PC General Data Protection Policy

The General Data Protection Regulation (GDPR) will take effect in the UK from 25 May 2018. It replaces the existing law on data protection (the Data Protection Act 1998) and gives individuals more rights and protection in how their personal data is used by organisations.

1. STATEMENT OF POLICY

Elvaston Parish Council recognises its responsibility to comply with the General Data Protection Regulations (GDPR) which replaces the Data Protection Act 1998. The act regulates the use of personal data. This does not have to be sensitive data; it can be as little as a name and address.

2. THE GENERAL DATA PROTECTION REGULATION

The GDPR 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 GDPR applies to anyone holding personal information about people, electronically or on paper. Elvaston Parish Council has also notified the Information Commissioner that it potentially holds personal data about individuals.

When dealing with personal data, Elvaston Parish Council members must ensure that:

- *Data is processed fairly and lawfully*
Personal information should only be collected from individuals if Elvaston Parish Council members 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 the correct amount of data is 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 no longer needed will 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 Elvaston Parish Council members can access the data. It cannot be accessed by members of the public.

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3. STORING AND ACCESSING DATA

Elvaston Parish Council recognises its responsibility to be open with people when taking personal details from them. Elvaston Parish Council members must be honest about why they want a particular piece of personal information.

Elvaston Parish Council may hold personal information about individuals such as their addresses and telephone numbers. These will be securely kept by Elvaston Parish Council and are not available for public access. All data stored on the Elvaston Parish Council computers is password protected. Once data is not needed any more, is out of date or has served its use and falls outside the minimum retention time of the Elvaston Parish Council document retention policy, it will be shredded or securely deleted from the computer, as is applicable.

Elvaston 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 Elvaston Parish Council holds about them;
- There must be an explanation of why it has been stored;
- There must be a list of who has seen it;
- It must be sent within 40 days.

4. CONFIDENTIALITY

Elvaston Parish Council members 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.

5. NOMINATED OFFICER(S)

Elvaston Parish Council must designate a Data Protection Officer (DPO) to take responsibility for data protection compliance and assess where this role sits within the structure and governance arrangements. This DPO can be internal or external and takes responsibility for the data protection compliance and has the knowledge, support and authority to carry out their role effectively.

Elvaston Parish Council must also identify a Data Controller and Processor. The Data Controller and Processor which, alone or jointly with others, determines the purposes and means of processing the personal data.

Minute Reference: - ____/____