

Stoke St Michael Parish Council

Data Protection Policy

Adopted: - 3rd September 2020

Stoke St Michael Parish Council is registered with the Information Commissioner as a Data Controller

It is the policy of the Parish Council to comply with the eight principles of Data Protection as set out below.

1. Data must be obtained fairly and lawfully

This means that information should be 'fairly processed' i.e. when information is collected, the Parish Council should be honest and open about why the information is wanted.

2. Data must be held only for specific and lawful purposes and not processed in any matter incompatible with those purposes

This means that the Parish Council must have a legitimate reason for processing the data. It will explain (in most cases in writing): that the request is from the Parish Council and what the Parish Council intends to use the information for and to whom the Parish Council intends to give the personal data to. This may be a specific third party, or may be a more general description such as "other Councils" etc.

3. Data must be relevant, adequate and not excessive for those purposes.

The Parish Council will monitor the quantities of data held and ensure that they hold neither too much nor too little. The Parish Council will only hold the data which that is actually needed.

4. Data must be accurate and where necessary kept up to date.

All Personal data should be accurate. If it is not, it will be corrected.

5. Data must not be kept for longer than necessary

Only in exceptional circumstances should data be kept indefinitely. The Parish Council has a system of removal of different categories of data from its records after certain periods, for instance, when the information is no longer required for audit purposes.

6. Data should be processed in accordance with the rights of data subjects under this Act.

This means that individuals must be informed, upon request, of all the information held about them. They can prevent the processing of data for direct marketing purposes and are entitled to compensation if they have been caused damage by any contravention of the Act.

7. Security precautions in place to prevent the loss, destruction or unauthorised disclosure of the data.

The Parish Council will ensure that there is adequate security for the data taking into account the nature of the data, and the harm to the data subject which could arise from disclosure or loss of the data. A system of passwords should be in use to ensure that only staff who are authorised can gain access to personal data.

8. Not to transfer data outside the European Economic Area unless you are satisfied that the country in question can provide an adequate level of security for that data.

The Parish Council is unlikely to have a need to transfer data overseas.

The Act defines eight categories of sensitive personal data. These are: -

- a) the racial or ethnic origin of data subjects;
- b) their political opinions,
- c) their religious beliefs or other beliefs of a similar nature,
- d) whether they are a member of a trade union,
- e) their physical or mental health or condition
- f) their sexual life,
- g) the commission or alleged commission by them of any offence, or
- h) any proceedings for any offence committed or alleged to have been committed by them, the disposal of such proceedings or the sentence of any court in such proceedings.

The Parish Council does not hold such information and is unlikely to request such information.

Subject Access Requests

All subject access requests will be dealt with promptly and in any case within one calendar month from the date of receipt. If further information is required from the subject to complete the request, the calendar month will begin when this further information is received. The requests are now free of charge.

In response to a subject access request, individuals are entitled to a copy of the information held about them, both on computer and as part of a relevant filing system. They also have the right to receive a description of why their information is processed, anyone it may be disclosed to, and any information available to the Parish Council about the source of the data.

Useful Contacts:

Information Commissioner
Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
Telephone 0303 123 1113
Website: www.ico.gov.uk