



107 Morris Drive
Billingshurst
West Sussex
RH14 9ST

Telephone 01403 784985

Mobile 07584 308 408

Email : nuthurstparishclk@btinternet.com

Web: www.nuthurstparishcouncil.co.uk

DATA PROTECTION POLICY

One of Nuthurst Parish Councils roles is to encourage community involvement and participation; publication of some personal information is integral to this aim. At the same time, such publication must minimise any potential negative impact on individuals, e.g. intrusive marketing or identity theft.

The Parish Council is bound by law to abide by the provisions of the Data Protection Act 1998. The eight principles of the act are given at the end of this Policy along with a link to the full online definition of the Act.

It should be noted that any individual has the right to make a complaint to the Information Commissioner and that any upheld complaint against the Parish Council could result in a fine.

The simplest way of ensuring compliance is to adopt a simple set of over-arching principles, since individuals acting for Nuthurst Parish Council may not be familiar with the full Act.

The following principles apply:

Principle 1: Permission

The Parish Council will not gather or publish any personal data unless the purpose of the data is made clear to, and permission has been obtained from, the data owner.

Principle 2: Single Use

Any personal data gathered as above will not be used for any purpose other than that stated when it was obtained. For example, if the Parish Council gathers personal data for a paper publication it may not subsequently publish that data on the internet, and vice versa.

Principle 3: Protection of Electronic Data

The Parish Council will ensure the safe keeping of any electronic files containing personal data and will not release those files to any external party except for the purpose of printing or publication. The Parish Council will require that any files thus released are deleted after use.

As further protection the Council will avoid collating / presenting long lists of personal data. In general, contact information will not be presented in a list format and presented in the context of other information. This is to mitigate against people who may try to use data from the internet for

purposes other than that intended. An example would be gathering contact lists for onward sale; in this case, understanding the demographic or locality of contacts makes them more valuable. The way data is presented online may deter such misuse.

The Data Protection Act 1998

For full information see: http://www.ico.gov.uk/for_organisations/data_protection.aspx

The following are the eight principles of the Act reproduced from UK Government web site above:

1. Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless: (a) at least one of the conditions in Schedule 2 is met, and (b) in the case of sensitive personal data, at least one of the conditions in Schedule 3 is also met.
2. Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
3. Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
4. Personal data shall be accurate and, where necessary, kept up to date.
5. Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
6. Personal data shall be processed in accordance with the rights of data subjects under the Act.
7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
8. Personal data 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 data subjects in relation to the processing of personal data.

Storing and accessing data

Nuthurst Parish Council recognises its responsibility to be open with people when taking personal details from them. This means that councillors and staff must be honest about why they want a particular piece of personal information. If, for example, a member of the public gives their phone number to staff or a member of the Parish Council, this will only be used for the purpose it has been given and will not be disclosed to anyone else. Nuthurst Parish Council may hold personal information about individuals such as their addresses and telephone numbers. These will be kept in a secure location (a locked filing cabinet) at the office of the Parish Clerk and are not available for public access.

All such data stored on the Parish computer is password protected. Once personal data is not needed anymore, if it is out of date or has served its use, it will be shredded or deleted from the computer. Except in exceptional circumstances and as agreed by the Council personal data will be kept for no longer than three years.

The 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 that is being held about them

- There must be explanation for why it has been stored
- There must be a list of who has seen it
- It must be sent within 40 days a fee to cover photocopying and postage charges will be charged to the person requesting the personal information. This fee will be agreed by the Council and amended in line with inflation from time to time. Currently this fee must not exceed £10.

Disclosure of personal information

If an elected member of the council, for example a Councillor needs to access personal information to help carry out their duties, this is acceptable. They are only able to access as much personal information as necessary and it should only be used for that specific purpose. If, for instance, someone has made a complaint about over hanging bushes in a garden, a Councillor may access an address and telephone number of the person who has made the complaint so they can help with the enquiry. They can only do this providing they represent the area that the subject lives in. However, before they access any sensitive personal information about a person, they would need consent to do this from the Parish Clerk. Data should never be used for political reasons unless the data subjects have consented.

Confidentiality

Nuthurst Parish Council councillors and staff 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.

Adopted 6th December 2017