

SEASCALE PARISH COUNCIL**DATA PROTECTION AND INFORMATION SECURITY POLICY****Data protection policy**

Seascale Parish Council recognises its responsibility to comply with 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.

The Data Protection Act (1998)

The Data Protection Act (1998) sets out high standards for the handling of personal information and protecting individuals' rights to privacy. It also regulates how personal information can be collected, handled and used. The Data Protection Act applies to anyone holding personal information about people (electronically or on paper).

As a local authority, Seascale Parish Council has a number of procedures in place to ensure that it complies with the Data Protection Act (1998) when holding personal information. The parish council has also notified the information commissioner that it holds personal data about individuals.

When dealing with personal information, Seascale Parish Council's clerk and councillors must ensure that:

1. **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.
2. **Data is processed for specified purposes only.**
3. **Data is relevant to what it is needed for.** Data will be monitored so that too much or too little is not kept; only data that is needed should be held.
4. **Data is not kept longer than it is needed.** Personal data should be accurate. If it is not, it should be corrected.
5. **Data is processed in accordance with the rights of individuals.** Individuals must be informed, upon request, of all the personal information held about them.
6. **Data is kept securely.** Only staff and councillors can access the data. It cannot be accessed by members of the public.

Storing and accessing data

Seascale 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 information. If, for example, a member of the public gives their phone number to the clerk 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 without the person's permission.

Seascale Parish Council may hold personal information about individuals such as their addresses, telephone numbers and email addresses. These will be securely kept by the clerk and are not available for public access. All data stored on the parish council's computer drive is encrypted. Once data is no longer needed, is out-of-date or has served its use and falls outside the minimum retention time of the council's document retention policy, it will be shredded or securely deleted from the computer drive.

Seascale 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:

1. They must be sent all the personal information that is being held about them
2. There must be an explanation for why it has been stored
3. There must be a list of who has seen it
4. It must be sent within 40 working days

A fee to cover photocopying and postage charges will be levied from the person requesting the personal information. This fee will be agreed by the parish council and amended in line with inflation from time to time.

Disclosure of personal information

If an elected or co-opted member of the council needs to access information to help carry out his duties, this is acceptable. He is only able to access as much information as is necessary and it should only be used for that specific purpose. If, for example, someone has made a complaint about overhanging bushes in a garden, a councillor may access the address and telephone number of the person who has made the complaint so that he can help with the enquiry. A councillor may only do this providing they represent the area in which the subject lives. However, before he can access any sensitive information about a person, he would need consent to do so from the parish clerk. Data should never be used for political reasons unless the data subjects have consented.

Confidentiality

Seascale Parish Council's councillors and clerk 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.

Prepared by: Sonia Batten on 24.03.14

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