

## CHARLEY PARISH COUNCIL

### The Data Protection Act

The Data Protection Act 1998 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 Data Protection Act applies to anyone holding personal information about people electronically or on paper.

Charley Parish Council holds no personal information on residents other than a copy of the Register of Electors for the Parish but in a small rural area it is inevitable that personal information will be known to residents and Councillors alike and therefore, Councillors are reminded of their duty of confidentiality in respect of all Parish Council activities and business.

As a local authority Charley Parish Council has a number of procedures in place to ensure that it complies with The Data Protection Act 1998 if and when personal information is held. When dealing with personal data, Charley Parish Council staff and Councillors would ensure that:

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.*

Data is processed for specified purposes only

Data is relevant to what is needed

Data will be monitored so that too much or too little is not 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 is processed in accordance with the rights of individuals

*This means that individuals must be informed, upon request, of all the personal information held about them.*

Data is kept securely

This means that only staff and Councillors can access the data. It should be stored securely so it cannot be accessed by members of the public. In storing and accessing data Charley 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 Charley Parish Council, this will only be used for the purpose it has been given and will not be

disclosed to anyone else. Charley Parish Council may hold personal information about individuals such as their addresses and telephone numbers. These will be kept in a secure location at the office of the Parish Clerk and are not available for public access. **All data stored on the Parish computer is password protected.** Once 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.

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 **and**

It must be sent within 40 days

there must be explanation for why it has been stored

there must be a list of who has seen it

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

### **Confidentiality**

Charley 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.