

MORWENSTOW PARISH COUNCIL

Data Protection Policy

The General Data Protection Regulation (“GDPR”) will take effect in the UK from 25 May 2018. Along with the Data Protection Act 2018, it replaces the existing law on data protection (the Data Protection Act 1998) and gives individuals more rights and protection regarding how their personal information is used.

Morwenstow Parish Council recognises its responsibility to comply with the regulations and has a number of procedures in place to ensure all information is dealt with in a confidential and appropriate manner.

Morwenstow Parish Council has delegated the day to day responsibility for ensuring compliance with the Data Protection legislation to the Clerk. The Clerk will receive training when necessary.

Personal data collected by Morwenstow Parish Council must be:

- Processed fairly and lawfully and in a transparent manner
- Processed for specific purposes only and not for any other purpose
- Relevant and limited to what is necessary for the purpose it was collected
- Accurate and kept up to date
- Kept for no longer than is necessary
- Processed in a manner that ensures appropriate security and protection

Consent is a positive, active, unambiguous confirmation of a data subject’s agreement to have their data processed for a particular purpose. Consent must be easy to withdraw and must be freely given, provided on an opt-in basis rather than opt-out.

Data controller is the person or organisation who determines the how and what of data processing.

Data processor is the person or firm that processes the data on behalf of the controller.

Data subject is the person about whom personal data is processed.

Personal data is information about a living individual which is capable of identifying that individual. E.g. a name, email addresses, photos.

Privacy Notice is a notice from a data controller to a data subject describing how personal data will be used and what rights the data subject has.

Processing is anything done with/to personal data (obtaining, recording, adapting or holding/storing) personal data.

Sensitive personal data is also described in the GDPR as ‘special categories of data’ and is the following types of personal data about a data subject: racial or ethnic origin; political opinions; religious beliefs; trade union membership; physical or mental health or condition; sexual life or orientation; genetic data; and biometric data.

COLLECTING DATA

Morwenstow Parish Council recognises its responsibility to be open with people when collecting personal details from them. The data will only be used for the purpose it was collected for. Personal data is not collected from the Council's website.

No data will be processed for children under 13 without express parental/guardian consent.

STORING AND ACCESSING DATA

Morwenstow Parish Council may hold information about individuals i.e. name, address, telephone number, e-mail address. This information is held in a secure location. All data stored on a computer is password protected. Data will only be kept for the purpose it was collected for and only for as long as is necessary, after which time it will be deleted. Personal information will not be shared or given to any other third party or be used for any purpose other than that for which it was provided.

The Parish Council is aware that an individual has the right to request access to any information that is held about them. This can be done by contacting the Parish Clerk. If they believe that the information held is incorrect they should contact the Parish Clerk.

CONFIDENTIALITY

Morwenstow Parish Council staff and Councillors must be aware that when complaints or queries are made, they must remain confidential unless the subject gives their permission otherwise. When processing personal data, this must also remain confidential. If a data breach is identified the ICO must be informed and an investigation will be conducted.

If an individual has a complaint regarding the way their personal data has been processed, they may make a complaint to the Parish Clerk, Data Protection Officer or the Information Commissioners Office **casework@ico.org.uk** Tel: 0303 123 1113.

Morwenstow Parish Council will review this policy annually.

Reviewed by Morwenstow Parish Council ~~17th February 2021~~

~~16th February 2022~~

15th February 2023