



HEMINGFORD ABBOTS PARISH COUNCIL

DATA PROTECTION POLICY

Introduction

In order to conduct its business, services and duties, Hemingford Abbots Parish Council (HAPC) processes data relating to its own operations and some which it handles on behalf of partner organisations. In broad terms, this data can be classified as:

- Data shared in the public arena about the services it offers, its mode of operations and other information it is required to make available to the public.
- Confidential information and data not yet in the public arena such as ideas or policies that are being worked up.
- Confidential information about other organisations because of commercial sensitivity.
- Personal data concerning its current, past and potential employees, Councillors, and volunteers.
- Personal data concerning individuals who contact it for information, to access its services or facilities or to make a complaint.

HAPC recognises it must at times, keep and process sensitive and personal information about both employees and the public, it has therefore adopted this policy not only to meet its legal obligations but to ensure high standards.

HAPC will adopt procedures and manage responsibly all data which it handles and will respect the confidentiality of both its own data and that belonging to partner organisations and members of the public.

HAPC will periodically review and revise this policy in the light of experience, comments from data subjects and guidance from the Information Commissioners Office.

Policy basis

The policy is based on the premise that Personal Data must be

- processed fairly, lawfully and in a transparent manner in relation to the data subject;
- collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
- adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- accurate and, where necessary, kept up to date;
- kept in a form that permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed.;
- processed in a manner that ensures appropriate security of the personal data including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

Data Protection Terminology

Data subject - means the person whose personal data is being processed

That may be an employee, prospective employee, associate or prospective associate of BTC or someone transacting with it in some way, or an employee, Member or volunteer with one of our clients, or persons transacting or contracting with one of our clients when we process data for them

Personal data - means any information relating to a natural person or data subject that can be used directly or indirectly to identify the person

It can be anything from a name, a photo, and an address, date of birth, an email address, bank details, and posts on social networking sites or a computer IP address.

Sensitive personal data - includes information about racial or ethnic origin, political opinions, and religious or other beliefs, trade union membership, medical information, sexual orientation, genetic and biometric data or information related to offences or alleged offences where it is used to uniquely identify an individual

Data controller - means a person who (either alone or jointly or in common with other persons) (e.g. employer, council) determines the purposes for which and the manner in which any personal data is to be processed

Data processor - in relation to personal data, means any person (other than an employee of the data controller) who processes the data on behalf of the data controller

Processing information or data - means obtaining, recording or holding the information or data or carrying out any operation or set of operations on the information or data, including

- organising, adapting or altering it;
- retrieving, consulting or using the information or data;
- disclosing the information or data by transmission, dissemination or otherwise making it available
- aligning, combining, blocking, erasing or destroying the information or data. regardless of the technology used.

HAPC processes **personal data** in order to:

- fulfil its duties as an employer;
- pursue the legitimate interests of its duties as a public body;
- monitor its activities including the equality and diversity of its activities;
- assist regulatory and law enforcement agencies;
- process information including the recording and updating details about its Councillors, employees, partners and volunteers;
- process information including the recording and updating details about individuals who contact it for information, or to access a service or make a complaint;
- undertake surveys, censuses and questionnaires to fulfil the objectives and purposes of the Council;
- undertake research, audit and quality improvement work to fulfil its objectives and purposes;
- carry out Council administration.

Where appropriate and governed by necessary safeguards HAPC will carry out the above processing jointly with other appropriate bodies from time to time.

Conditions for fair processing of data

The Council will ensure that at least one of the following conditions is met for personal information to be considered fairly processed:

Data Protection Policy V1 Minute Reference: 203i 27/3/23

- the individual has consented to the processing; and processing is necessary
- for the performance of a contract or agreement with the individual;
- under a legal obligation;
- to protect the vital interests of the individual;
- to carry out public functions;
- in order to pursue the legitimate interests of the data controller or third parties.

Particular attention is paid to the processing of any **sensitive personal information** and HAPC will ensure that at least one of the following conditions is met

- explicit consent of the individual;
- a requirement in law to process the data for employment purposes;
- a requirement to protect the vital interests of the individual or another person.

Who is responsible for protecting a person's personal data?

HAPC as a corporate body has ultimate responsibility for ensuring compliance with the Data Protection legislation and can be contacted by emailing the Parish Clerk:

- parishclerk@hemingfordabbotsparishcouncil.gov.uk

Information provided to HAPC

Personal information, such as name, address, email address, phone number provided by an individual to HAPC will be processed and stored so that contact can be made, a response given or a transaction requested can be conducted.. By transacting with HAPC, individuals are deemed to be giving consent for their personal data provided to be used and transferred in accordance with this policy. It is the responsibility of those individuals to ensure that their personal data provided is accurate and up-to-date. The personal information will be not shared or provided to any other third party or be used for any purpose other than that for which it was provided.

Information Security

HAPC will take all reasonable steps to ensure the security of personal data. It will make sure that information is protected from unauthorised access, loss, manipulation, falsification, destruction or unauthorised disclosure. This is done through appropriate technical measures and appropriate policies.

Data will only be kept for the purpose for which it was collected and only for as long as is necessary, after which it will be deleted.

Data Breach

In the unlikely event of a serious data breach (defined as one likely to result in a high risk of adversely affecting individuals' rights and freedoms), HAPC will ensure that the incident is reported to the Information Commissioner's Office (ICO) no later than 72 hours after having become aware of the breach. HAPC will also ensure that appropriate records are kept of any personal data breaches, regardless of whether they are notifiable to the ICO.

Children

HAPC will not process any data relating to a child (under 13) without the express parental/ guardian consent of the child concerned.

Rights of a Data Subject

Access to Information: an individual has the right to request access to the information HAPC has on them. They can do this by contacting the Parish Clerk or Data Protection Officer:

Information Correction: If an individual believes that the information HAPC has about them is incorrect, they have the right to have it corrected and can do this by contacting the Parish Clerk.

Information Deletion: If an individual wishes the information HAPC has about them to be deleted, they can do so by contacting the Parish Clerk.

Right to Object: If an individual believes their data is not being processed for the purpose for which it has been collected, they may object by contacting the Parish Clerk or Data Protection Officer at HDC

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