West Row Parish Council

Clerk: Sharon Vale
Telephone: 07860 358493
Email: westrowpc@gmail.com
Website: https://westrowparish.org.uk
Chair: Cllr Rosalind Hamill

Data Protection Policy

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WEST ROW DATA PROTECTION PRINCIPLES

Anyone processing personal data must comply with the eight enforceable principles of good practice. These provide that personal data must be:

- Processed fairly and lawfully.
- Processed for limited purposes and in an appropriate way.
- Adequate, relevant, and not excessive for the purpose.
- Accurate. • Not kept longer than necessary for the purpose.
- Processed in line with data subjects' rights.
- Secure.
- Not transferred to people or organisations situated in countries without adequate protection.

1 FAIR AND LAWFUL PROCESSING

1.1 The Act is intended not to prevent the processing of personal data, but to ensure that it is done fairly and without adversely affecting the rights of the data subject. The data subject must be told who the data controller is, the purpose for which the data is to be processed by us, and the identities of anyone to whom the data may be disclosed or transferred.

1.2 For personal data to be processed lawfully, certain conditions must be met. These may include, among other things, requirements that the data subject has consented to the processing, or that the processing is necessary for the legitimate interest of the data controller or the party to whom the data is disclosed. When sensitive personal data is being processed, more than one condition must be met. In most cases the data subject's explicit consent to the processing of such data will be required.

2 PROCESSING FOR LIMITED PURPOSES

Personal data may only be processed for the specific purposes notified to the data subject when the data was first collected or for any other purposes specifically permitted by the Act. This means that personal data must not be collected for one purpose and then used for another. If it becomes necessary to change the purpose for which the data is processed, the data subject must be informed of the new purpose before any processing occurs.

3 ADEQUATE, RELEVANT AND NON-EXCESSIVE PROCESSING

Personal data should only be collected to the extent that it is required for the specific purpose notified to the data subject. Any data which is not necessary for that purpose should not be collected in the first place.

4 ACCURATE DATA

Personal data must be accurate and kept up to date. Information which is incorrect, or misleading is not accurate, and steps should therefore be taken to check the accuracy of any personal data at the point of collection and at regular intervals afterwards. Inaccurate or out of date data should be destroyed.

5 TIMELY PROCESSING

Personal data should not be kept longer than is necessary for the purpose.
This means that data should be destroyed or erased from the Parish Council's systems when it is no longer required. For guidance on how long certain data is likely to be kept before being destroyed.

6 PROCESSING IN LINE WITH DATA SUBJECT'S RIGHTS

Data must be processed in line with data subjects' rights. WRPC must ensure individuals can exercise their rights in the following ways:
• Right to be informed / providing privacy notices / keeping a record of how WRPC uses personal data to demonstrate compliance
• Right of access: o enabling individuals to access their personal data and supplementary information / be aware of and verifying the lawfulness of the processing activities
• Right to rectification: rectifying or amending personal data of the individual if requested / carrying out the above process within one month
• Right to erasure: deleting or removing an individual’s data if requested and there is no compelling reason for its continued processing.
• Right to restrict processing: o complying with any request to restrict, block or supress the processing of personal data o retaining only enough data to ensure the right to restriction is respected in the future
• Right to data portability:
Providing individuals with their data so that they can reuse it for their own purposes and providing it in a commonly used format (i.e. machine-readable format)
• Right to withdraw consent o respecting the right of an individual to withdraw consent to the processing at any time for any processing of data to which consent was obtained o withdrawal can be by telephone, email or by post.
• The right to lodge a complaint with the Information Commissioner’s Office.
https://ico.org.uk/global/contact-us/email/
or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

7 DATA SECURITY

7.1 The Parish Council must ensure that appropriate security measures are taken against unlawful or unauthorised processing of personal data, and against the accidental loss of, or damage to, personal data. Data subjects may apply to the courts for compensation if they have suffered damage from such a loss.
7.2 The Act requires us to put in place procedures and technologies to maintain the security of all personal data from the point of collection to the point of destruction. Personal data may only be transferred to a third-party data processor if he agrees to comply with those procedures and policies, or if he puts in place adequate measures himself.
7.3 Maintaining data security means guaranteeing the confidentiality, integrity and availability of the personal data, defined as follows: (a) Confidentiality means that only the Proper Officer is authorised to use the data and can access it. (b) Integrity means that personal data should be accurate and suitable for the purpose for which it is processed. (c) Availability means that authorised users should be able to access the data if they need it for authorised purposes.
7.4 Security procedures include: (a) Secure lockable desks and cupboards. Desks and cupboards should be kept locked if they hold confidential information of any kind. (Personal information is always considered confidential.) (b) Methods of disposal. Paper documents should be shredded. (c)
Equipment. Data users should ensure that individual monitors do not show confidential information to passers-by.

8 DEALING WITH SUBJECT ACCESS REQUESTS (SAR)

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, this will be handled in accordance with WRPC's Subject Access Request (SAR) Policy.

9 PROVIDING INFORMATION OVER THE TELEPHONE

Any member of staff dealing with telephone enquiries should be careful about disclosing any personal information held by the Parish Council. In particular they should:

(a) Check the caller's identity to make sure that information is only given to a person who is entitled to it.

(b) Suggest that the caller put their request in writing if they are not sure about the caller's identity and where their identity cannot be checked.

(c) Refer to the Clerk for assistance in difficult situations. No-one should be bullied into disclosing personal information.

10. ACCESS TO POLICIES REFERRED TO UNDER THIS POLICY

For details of all of the polices relevant to WRPC as a local government authority please visit the Parish Council's website.