

Wingfield Parish Council

Data Protection Policy

This policy should be read alongside the Parish Council's Privacy Notice, available from the Wingfield Community website: <https://wingfieldparishcouncil.gov.uk/the-parish-council/policies>.

1. Purpose and Background

Wingfield Parish Council recognises its responsibility to comply with the Data Protection Act 2018 ('The Act') and the General Data Protection Regulation (UK). The Act applies to 'personal data' and 'processing data'.

Personal data is any information about a living individual which allows them to be identified from that data (for example a name, photographs, videos, email address, or address).

Processing data means any operation performed on that personal data such as collection, recording or use.

The Parish Council holds data that relates to living individuals and processes data in order to perform its role.

When dealing with personal data, Wingfield Parish Council staff and Councillors will ensure that:

- Data is processed fairly and lawfully
- Data is processed for specified purposes only
- Data is relevant to what it is needed for
- Data is accurate and kept up to date
- Data is not kept longer than it is needed
- Data is processed in accordance with the rights of individuals
- Data is kept securely

2. Data Protection Officer

Parish councils do not have to appoint a Data Protection Officer. The Clerk of Wingfield Parish Council is responsible for managing data and overseeing adherence to this policy on a day-to-day basis.

The Clerk can be contacted at: clerk@wingfieldparishcouncil.gov.uk

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3. Information Held

The type of information the Parish Council holds is generally limited to name, address, telephone number and email address. More detailed information is held for employees.

Personal data may be used for personnel, administrative, financial, statutory and legislative purposes, payroll, consultation and business development purposes.

In the normal course of business, the Parish Council will receive personal data in connection with the following council activities:

- Administration of Parish Council meetings
- Administration of employment matters
- Managing Councillor membership
- Receiving and dealing with correspondence
- Contractual matters
- Receiving and processing grant applications
- Creating volunteer lists for specific activities

The Parish Council is sent a copy of the electoral roll with updates through the year. Data Protection associated with the electoral roll is predominately the responsibility of Wiltshire Council. The Parish Council holds a copy but does not permit any third party to view this data.

3.1 Special Category data: The Act requires 'sensitive data' to be afforded a higher level of protection. Categories of sensitive data includes racial or ethnic origins, political opinions, religious beliefs, health issues. The Parish Council does not collect such data. Where the Council carries out village-wide surveys questions are not generally asked relating to types of data that would be classified as sensitive.

3.2 Data relating to children: There is special protection for the personal data of a child. A child can give their own consent when aged 13. If the Council requires consent from young people under 13, the Council will obtain a parent or guardian's consent to process the personal data lawfully. Consent forms for children age 13 plus, will be written in language that they will understand. At present, the Parish Council does not have any services that directly relate to children.

4. How Data is Used

Data will be used only for the purpose for which it has been requested or supplied. The Parish Council will never sell personal data nor share it with any third party without the express consent of the data subject.

If a Councillor needs to access information to help carry out their duties, they may only access as much information as is necessary for that particular task and it will be used only for that specific purpose. Information will not be released without the prior knowledge or consent of the Parish Clerk.

5. Subject access requests

Individuals have a right to ask an organisation whether or not they are using or storing personal information, and for copies of any personal information held. Such requests should be made to the Clerk. A response will be made within one month.

6. Data eradication request

Individuals have a right to have their personal data erased where their personal data is no longer necessary in relation to the purpose for which it was originally collected. Such requests should be made in writing to the Clerk. A response will be made within one month. The Clerk can act on requests to delete information where reasonable. If a request is considered to be manifestly unfounded then it may be refused. The Parish Council will be informed of such requests.

7. Data breaches

Any Councillor or individual who is aware of a data breach should report it to the Clerk. The Clerk will conduct an investigation with the support of the Chair. Investigations will be undertaken within one month of the report of a breach.

A personal data breach must be reported to the Information Commissioner within 72 hours of the Parish Council becoming aware of the breach, unless the personal data breach is unlikely to result in a risk to the rights and freedoms of natural persons. Where a data breach is reported to the Information Commissioner, the Clerk will also notify those concerned.

8. Complaints

Any complaints made to the Parish Council must remain confidential unless the data subject gives permission otherwise.

9. Policy adoption and review

This policy document is based on current legislation and information. It will be reviewed at least every three years or when further advice is issued by the ICO.

All Councillors, employees and volunteers are expected to comply with this policy at all times to protect privacy, confidentiality and the interests of the Parish Council.

Policy history

Description	Date	Minute Number
Adopted		
Last reviewed		