**Beadlam Parish Council**

**DATA PROTECTION POLICY**

**Introduction**

Beadlam Parish Council needs to collect and use certain types of information about the Data Subjects who come into contact with it in order to carry on our work. This personal information must be collected and dealt with appropriately, whether on paper, by computer, or recorded on other material, and there are safeguards to ensure this under the EU General Data Protection Regulation (GDPR) 2018.

***The following list of definitions of the technical terms we have used is intended to aid understanding of this policy.***

**Data Controller** - The person who (either alone or with others) decides what personal information Beadlam Parish Council will hold and how it will be held or used.

**EU General Data Protection Regulation (GDPR) 2018-** The legal framework for responsible behaviour by those using personal information.

**Data Protection Officer** – The person(s) responsible for ensuring that Data Protection regulation is followed.

**Data Subject/Service User** – The individual whose personal information is being held or processed by Beadlam Parish Council.

**‘Explicit’ Consent** – is a freely given, specific and informed agreement by a Data Subject to the processing of personal information about them. Explicit consent is needed for processing sensitive data (see below).

**Information Commissioner** – The UK body responsible for implementing and overseeing the EU General Data Protection Regulation (GDPR) 2018.

**Processing** – collecting, amending, handling, storing or disclosing personal information.

**Personal Information** – Information about a living individual that enables them to be identified e.g. name, address, etc. It does not apply to information about organisations, companies and agencies but applies to named persons.

**Sensitive Data** – means data about: Racial or ethnic origin, political opinion, religious or similar beliefs, Trade Union membership, physical or mental health, sexual life, criminal records or criminal proceedings relating to a data subject’s offences.

**Data Controller**

Beadlam Parish Council is the Data Controller which means that it determines what purposes personal information held will be used for. Beadlam Parish Council may share data with other agencies such as the local authority, funding bodies and other voluntary agencies in order to carry out its statutory duties.

The data subject will be made aware in most circumstances how and with whom their information will be shared. There are circumstances where the law allows Beadlam Parish Council to disclose data (including sensitive data) without the data subject’s consent. These are:

1) carrying out a legal duty or as authorised by the Secretary of State.

2) protecting vital interests of a data subject or other person

3) the data subject has already made the information public

4) conducting any legal proceedings, obtaining legal advice or defending any legal rights.

5) monitoring for equal opportunities purposes, i.e. race, disability or religion.

6) providing a confidential service where the data subject’s consent cannot be obtained or where it is reasonable to proceed without consent, e.g. where we would wish to avoid forcing stressed or ill data subjects to provide written consent.

Beadlam Parish Council regards the lawful and correct treatment of personal information as very important to successful working, and to maintaining the confidence of those with whom we deal. We attend to ensure that personal information is treated lawfully and correctly. To this end we will adhere to the principles of Data Protection under the GDPR 2018.

1. Data shall be processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met.

2. Data shall be obtained only for one or more of the purposes specified in GDPR 2018, and shall not be processed in any manner incompatible with that or those purposes.

3. Data shall be adequate, relevant and not excessive in relation to its purpose.

4. Data shall be accurate, and where necessary kept up to date.

5. Data shall not be kept longer than necessary.

6. Data shall be processed in accordance with the rights of data subjects under the GDPR 2018.

7. Data shall be kept securely by Beadlam Parish Council who take appropriate technical and other measures to prevent unauthorised or unlawful processing or accidental loss or destruction of, or damage to, personal information.

8. Data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal information.

Beadlam Parish Council will, through appropriate management, strict application of criteria and controls:

* Observe fully conditions regarding the fair collection and use of information
* Meet its legal obligations to specify the purposes for which information is used
* Collect and process appropriate information, and only to the extent that it is needed to fulfil its operational needs or to comply with any legal requirements
* Ensure the quality of information used

Ensure that the rights of people about whom information is held, can be fully exercised under GDPR 2018. These include:

1. The right to be informed that processing is being undertaken
2. The right of access to one’s personal information
3. The right to prevent processing in certain circumstances and
4. The right to correct, rectify, block or erase information which is regarded as incorrect.
* Take appropriate technical and organisational security measures to safeguard personal information
* Ensure that personal information is not transferred abroad without suitable safeguards
* Treat people justly and fairly whatever their age, religion, disability, gender, sexual orientation or ethnicity when dealing with requests for information
* Set out clear procedures for responding to requests for information

**Data collection informed consent**

Informed consent is when

* A data subject clearly understands why their information is needed, who it will be shared with, the possible consequences of them agreeing or refusing the proposed use of the data
* Then gives their consent

Beadlam Parish Council will ensure that data is collected within the boundaries defined in this policy. This applies to data that is collected in person or by completing a form. When collecting data we will ensure that the data subject:

* Clearly understands why the information is needed
* Understands what it will be used for and what the consequences are should the data subject decide not to give consent to processing
* As far as reasonably possible, grants explicit consent, either written or verbal for the data to be processed
* Is, as far as reasonably practicable, competent enough to give consent and has given so freely without any duress
* Has received sufficient information on why their data is needed and how it will be used

**Data Storage**

Information and records relating to service users will be stored securely and will only be accessible to authorised parish councillors. It will be stored for only as long as it is needed or required by statute and will be disposed of appropriately. It is Beadlam Parish Councils responsibility to ensure all personal and company data is non-recoverable from any computer system previously used within the organisation, which has been passed on/sold to a third party.

**Data access and accuracy**

All data subjects have the right to access the information Beadlam Parish Council holds about them. We will also take reasonable steps to ensure that this information is kept up to date by asking whether there have been any changes.

In addition Beadlam Parish Council will ensure that:

* Everyone processing personal information understands that they are contractually responsible for following good data protection practice
* Everyone processing personal information is appropriately trained to do so, and is appropriately supervised
* Anyone wanting to make enquiries about handling personal information knows what to do
* Enquiries about handling personal information are dealt with promptly and courteously
* It describes clearly how it handles personal information
* Will review and audit the way personal information is held and managed
* Will regularly assess and evaluate methods and performance in relation to handling personal information
* Members of the Parish Council are aware that a breach of the rules and procedures identified in this policy may lead to disciplinary action being taken against them.

This policy will be updated as required to ensure continued compliance with any changes or amendments made to the GDPR 2018.