

TOLLERTON PARISH COUNCIL

DATA PROTECTION POLICY

Policy Author & Job Title: Nigel A Knapton
Parish Clerk

Approved by members on: 2 August 2011

Due for Review: August 2012

Data Protection Policy

Introduction

Tollerton Parish Council is committed to the principles and requirements for data protection and handling identified within the Data Protection Act 1998 which came into force on 1st March 2000. All employees and elected members of the Council will be made fully aware of this policy and their duties and responsibilities under the Act.

The Act sets out rules for processing personal information (personal data), many paper records and computerised information. The Act covers:

- Any information held on a computer about a living individual who can be identified by or from that data
- Information held in manual filing systems where it is possible to access specific information about particular people
- Information collected with the intention of storing it on a computer

Definitions

Within the Act “**Personal Data**” is deemed as data which relates to a living individual who can be identified:

- from the data; or
- from the data and other information which is in the possession of the data controller and includes expressions of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual

Sensitive personal data is deemed as consisting of information as to:

- racial or ethnic origin
- political opinions
- religious or other beliefs
- trade union membership
- physical or mental health or condition
- sex life
- criminal proceedings or convictions

Principles of the Act

The Act sets out principles for data processing and requires Tollerton Parish Council to comply with the rules of good information handling, known as the data protection principles. These principles state that data must be:

- fairly and lawfully processed
- processed only for specific purposes
- adequate, relevant and not excessive
- accurate
- not kept for longer than is necessary
- processed in line with individual rights under the Act
- secure
- not transferred to countries without adequate protection

Implementation

Tollerton Parish Council will ensure that in accordance with legislation relevant procedures and good practice are followed for processing, handling and storing personal data to safeguard against loss, destruction or unauthorised disclosure of data. These procedures include:

- The Executive Officer will be responsible for the enforcement of data protection within Tollerton Parish Council
- All employees and elected members of Tollerton Parish Council managing and handling data are appropriately trained
- Consultation will take place and consent received from individuals prior to the processing of data wherever practicable
- Obtain and process information only to the extent needed to fulfil operational need or to comply under a legal obligation
- When holding data on individuals Tollerton Parish Council will take into consideration the rights of individuals on whom data is held which includes:
 - a description of the data; and
 - a copy of the information in an intelligible form
 - the purposes for which the data is being held
 - the recipients or classes of recipients to whom it may be disclosed; and
 - the source of the data
 - to prevent processing in certain circumstances
 - to correct, block or erase incorrect information
 - written requests received from individuals to access data held about them will be dealt within the statutory 40 days

- Manual files and documents containing personal/sensitive will be kept in a secure environment
- Personal data held on computer systems will be protected by passwords changed periodically
- Procedures for the handling and storing of data will be regularly assessed and evaluated
- Employees and elected members will undertake relevant training on Data Protection to keep up to date with legislation