

## DATA PROTECTION POLICY

Policy Author & Job Title: Parish Clerk & Responsible Finance Officer

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### Introduction

An essential activity within the Parish Council is the requirement to gather and process information about its employees, and people in the community, in order to operate effectively. The Data Protection Act 1998 regulates the way in which certain information about employees and citizens is held and used.

Bury Parish Council is committed to the principles and requirements for data protection and handling identified within the Data Protection Act 1998 (the Act), and other related government legislation.

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 Data 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
- sexual orientation
- criminal proceedings or convictions

### **Principles of the Act**

The Act sets out principles for data processing and requires Bury 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
- identified by or from that data
- information held in secure 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

This policy has been formally adopted by Bury Parish Council and applies to its employee, elected members and those acting on the Councils behalf. The policy intends to protect the employee, colleagues, members of the public and the Parish Council.

### **Employee Information**

Bury Parish Council will need to keep information for purposes connected with an employee's employment, including recruitment and termination information. This information will be kept throughout the period of employment and for as long as is necessary following the termination of employment.

These records may include:

- Information gathered about an employee and any references obtained during recruitment

- Details of terms of employment
- Performance information
- Details of grade and job title duties
- Absence records, including holiday records and self-certification forms
- Details of any disciplinary investigations and proceedings
- Training records
- Contact names and addresses
- Correspondence with the organisation and other information provided to the organisation

The Parish Council believes these uses are consistent with our employment relationship and with the principles of the Act. Any information held within the Council is kept in the strictest of confidence.

The Parish Council will ensure that information is not kept for longer than is necessary, and will only retain the minimum amount of information that it requires to carry out its functions and the provision of services, whilst adhering to any legal or statutory requirements.

Documents and information will be stored and disposed of in accordance with the guidelines laid down in the Act.

## **Responsibilities**

The Parish Council, acting as custodians of personal data, recognises its moral duty to ensure that all such data is handled properly and confidentially at all times, irrespective of whether it is held on paper or by electronic means. This covers the whole lifecycle, including:

- The obtaining of personal data;
- The storage and security of personal data;
- The use of personal data
- The disposal/destruction of personal data

## **Parish Clerk**

The Parish Clerk will ensure that any third party processing such information on Bury Parish Council's behalf is contractually obliged to put in place similar measures.

The Parish Clerk is responsible for gathering and disseminating information and issues relating to information security, the Data Protection Act and other related legislation and ensuring that all staff complies with the legislation.

## **Members**

Members are bound by this policy and must adhere to the guidelines.

