

Personal Data Management and Audit Policy [Date 28.2.19]

Adopted by the Council on [28.2.19] Review Date [28.2.2020]

Data Management

The GDPR places a much greater emphasis on transparency, openness and fairness than previous legislation required. The Parish Council as Data Controller will ensure the Principles of Data Protection legislation will be followed in the management of personal data and that employees and councillors understand the requirements of the new legislation.

The Clerk (as Data Processor) will follow the underlying principles that personal data:

- a) Must be processed lawfully, fairly and transparently.
- b) Is only used for a *specific processing purpose* that the data subject has been made aware of and no other, without further consent.
- c) Should be *adequate, relevant and limited* i.e. only the minimum amount of data should be kept for specific processing.
- d) Must be *accurate* and where necessary *kept up to date*.
- e) Should *not be stored for longer than is necessary*, and that storage is safe and secure.
- f) Should be processed in a manner that ensures *appropriate security and protection*.

The Clerk will manage subject access requests allowing data subjects to exercise their rights under the GDPR:

The right to access personal data we hold on you

The right to correct and update the personal data we hold on you

The right to have your personal data erased

The right to object to processing of your personal data or to restrict it to certain purposes only

The right to data portability

The right to withdraw your consent to the processing at any time for any processing of data to which consent was obtained

The right to lodge a complaint with the Information Commissioner's Office.

The Clerk will ensure the notification of personal data breaches and undertake data protection impact assessments where required for new projects as directed by the Council as Data Controller. A record log of processing of data will be maintained by the Clerk as Data Processor.

Data Audit

1/ SUBJECT: Email or letter queries from residents or from other third parties including a request for service, reporting issues or making complaints			
Nature/purpose	Type of data	Data subject	Lawful base(s) for processing
Correspondence from members of the public/residents/other parties relating to parish matters which may contain personal data.	Name, address, contact details, with possible sensitive personal data, depending on the nature of the matter; residents provide	Members of the Public/Residents	Public interest; compliance with legal obligation; legitimate interest where a balancing test has been applied
<p>Data Controls</p> <ol style="list-style-type: none"> 1. Any email letter of other form of query received by the PC which contains personal data will be retained for a maximum of two years or for as long as the issue remains or retention is reviewed by the Parish Council. 2. Such data may be stored on the PC laptop, held by the Clerk in a secure place. 3. The agreed privacy notice shall be provided to any person who contacts the PC. 4. In accordance with the agreed privacy notice, such data shall not be shared with any third party without the express permission of the data subject. 			

2/ SUBJECT: Planning Applications			
Nature/purpose	Type of data	Data subject	Lawful base(s) for processing
Consultations and decisions published by the Planning Authority, and shared with Parish Council for it to comment on .	Name and contact information; Principal authority; residents/public	Planning applicant/agent; Other members of the public speaking in open public session at council meetings. Members of the public who make comments.	Compliance with legal obligation Public task
<p>Data Controls</p> <ol style="list-style-type: none"> 1. Clerk to check all information before sharing with parish councillors, and ensure sensitive personal data is redacted wherever possible before sharing or publishing. 2. Information in agenda and minutes to include only what is necessary to identify and discuss the application or decision. 3. Any correspondence between PC and applicant to be in accordance with data protection principles, and to be deleted within two years. 4. Public domain information may be held for as long as the issue remains or according to retention reviewed by the Parish Council 			

3/ SUBJECT: Resident Surveys			
Nature/purpose	Type of data	Data subject	Lawful base(s) for processing
Inform residents and gain views of residents	Resident Names and Contact details- from residents	Residents	Consent
Data Controls			
<ol style="list-style-type: none"> 1. Clerk to retain in a secure place and obtain consent form. Not to be shared. 2. Delete after 2 years and anonymize other data if required. 			

4/ SUBJECT: Website			
Nature/purpose	Type of data	Data subject	Lawful base(s) for processing
Information relating to the Parish is published on the website		Members of public	Consent; compliance with legal obligation; legitimate interest where a balancing test has been applied
Data Controls			
<ol style="list-style-type: none"> 1. Photographs of individuals shall not be published on the website without the express permission of the individual. 2. Photographs taken off the website will be deleted and no copy of the photograph shall be retained by the PC 3. Documents provided by external groups (e.g. village news) and re-published on our website are done so under the understanding that the external group have a lawful basis (consent or other) through their own data protection checks 			

5/ SUBJECT: Electoral roll provided by Principal Authority			
Nature/purpose	Type of data	Data subject	Lawful base(s) for processing
Elections	Names, address, marital status; principal authority	All Parish residents	Compliance with legal obligation
Data Controls			
<ol style="list-style-type: none"> 1. Clerk to retain in a secure place. 2. Electoral roll not to be shared with any other person. 3. Members of the public to be directed to Principal Authority for any electoral roll queries. 			

6/ SUBJECT: Minutes – matters raised by members of the public at meetings			
Nature/purpose	Type of data	Data subject	Lawful base(s) for processing
Maintained and published in accordance with Local Government legislation	Names and possibly other information	Residents/members of the public	Compliance with legal obligation; public interest
Data Controls			
<ol style="list-style-type: none"> 1. Every effort should be made to avoid inclusion of personal data in agenda or minutes. Where personal data or potential identifiers cannot be avoided, these should be kept to a minimum. 2. Members of the public who attend the public forum or the annual meeting should be informed by the Chair that the issue may be included in public minutes, and should give their consent to personal data where necessary before the discussion (consent to be implied as Chair gives the members of the public the chance to withdraw from the meeting if they wish). 			

7/ SUBJECT: Suppliers of Services			
Nature/purpose	Type of data	Data subject	Lawful base(s) for processing
Carrying out contracting work and services required by the Council;	Names, contact details, qualifications, financial details, details of certificates and diplomas, education and skills; provided in contract applications etc	Contractors/Trades persons surveyors, architects, builders, suppliers, advisers, payroll processors	Contractual necessity Public task
Data Controls			
<ol style="list-style-type: none"> 1. Copy to be retained on PC laptop, held by Clerk in a secure place, for life of contract or while the business remains a potential supplier. 2. Quotes, purchase orders, invoices, etc to be retained in accordance with statutory requirements (usually 6 years but 40 for insurance) 			

8/ SUBJECT: Residents asked to perform actions (eg trim trees or hedges)			
Nature/purpose	Type of data	Data subject	Lawful base(s) for processing
In response to requests made at PC meetings.	Names, addresses and possibly other personal data provided by residents	Residents/members of the public	Compliance with legal obligation; public task
Data Controls			
<ol style="list-style-type: none"> 1. Copy to be retained on PC laptop, held by Clerk in a secure place, for a maximum of two years. 2. Information shall not be shared with any third party without express permission of the data subject 			

9/ SUBJECT: Customers and grant applicants			
Nature/purpose	Type of data	Data subject	Lawful base(s) for processing
To receive services from the Parish Council	Contact and billing details, accounts	Customers and grant applicants	Contract, legal obligation
Data Controls			
1. Maximum of 6 years for accounts.			

10/ SUBJECT: Employees and applicants			
Nature/purpose	Type of data	Data subject	Lawful base(s) for processing
To manage applications, contracts, PAYE, and performance review.	Applications, References, Bank details, pension, sickness, performance	Employees and applicants	Legal obligation, contract
Data Controls			
1. Information be retained in accordance with statutory requirements (6 years post employment)			
2. Names will be retained for historical public record			

11/ SUBJECT: Councillors and applicants			
Nature/purpose	Type of data	Data subject	Lawful base(s) for processing
Clerk retains contact details/gathered for election purposes/published in accordance with Transparency Code and Code of Conduct	Name, address, contact details, and disclosable pecuniary interests	Parish Councillors	Compliance with legal obligation Public task
Data Controls			
1. Details will be published on website in accordance with statutory requirements.			
2. Data will be held by Clerk, on the PC laptop, and details other than name will be deleted within 6 months of when a councillor retires from office. Names will be retained for historical public record.			
3. Requests for this data from third parties shall be referred to the website.			

12/ SUBJECT: Any other personal data			
Nature/purpose	Type of data	Data subject	Lawful base(s) for processing
Personal data which comes under the control of the PC which does not fit into any of the categories above	Names, addresses and possible other personal data.		
Data Controls <ol style="list-style-type: none"> 1. Clerk to process the data in accordance with the data protection principles, always ensuring that personal data is stored securely and not shared with any third party without the express permission of the data subject. 2. Clerk may need to bring report to Council to determine the way in which the data should be controlled. 			

Completed by: J.M.W. Date: 28.2.19
 Clerk to the Parish Council