SOUTH WOODHAM FERRERS TOWN COUNCIL

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Data Protection Policy & Information Security Policy

Definitions:

Personal 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). Identification can be directly using the data itself or by combining it with other information which helps to identify a living individual (e.g. a list of staff may contain personnel ID numbers rather than names but if you use a separate list of the ID numbers which give the corresponding names to identify the staff in the first list then the first list will also be treated as personal data). The processing of personal data is governed by legislation relating to personal data which applies in the United Kingdom including the General Data Protection Regulation (the "GDPR) and other legislation relating to personal data and rights such as the Human Rights Act.

Data Controller

A natural or legal person, Public Authority, Agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data.

South Woodham Ferrers Town Council (SWFTC) is the "data controller" for your data.

Data Subject

The identified (directly or indirectly) person to which the data refers.

Introduction

SWFTC recognises its responsibility to comply with the General Data Protection Regulation (GDPR) 2018 which replaces the EU Data Protection Directive of 1998 and regulates the use of personal data.

Data Protection Principles

As a local authority, SWFTC has a number of procedures in place to ensure that it complies with the GDPR when collecting, using, retaining, transferring, disclosing and destroying personal information.

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Staff and Councillors must ensure that they adopt the following principles:

1. Lawfulness, Fairness and Transparency
Personal Data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject. This means, SWFTC must tell the data subject what processing will occur (transparency), the processing must match the description given to the data subject (fairness), and it must be for one of the purposes specified in the applicable data protection regulation (lawfulness).

2. Purpose Limitation
Personal Data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes. This means SWFTC must specify exactly what the personal data collected will be used for and limit the processing of that personal data to only what is necessary to meet the specified purpose.

3. Data Minimisation
Personal data shall be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed. This means SWFTC must not store any personal data beyond what is strictly required.

4. Accuracy
Personal data shall be accurate and, kept up to date. This means SWFTC must have in place processes for identifying and addressing out-of-date, incorrect and redundant personal data.

5. Storage Limitation
Personal data shall be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data is processed. This means SWFTC must, wherever possible, store personal data in a way that limits or prevents identification of the data subject. The length of time personal data is kept is outlined in the Council's Retention Policy.

6. Integrity & Confidentiality
Personal data shall be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing, and against accidental loss, destruction or damage. SWFTC must use appropriate measures to ensure the integrity and confidentiality of personal data is maintained at all times and that personal data is only accessed by Council staff and Councillors.

7. Accountability
The data controller shall be responsible for all personal data and must be able to demonstrate compliance. This means SWFTC must demonstrate that the principles (outlined above) are met for all personal data for which it is responsible.

Privacy Notices

A 'Privacy Notice' is available on the Town Council website which details who we share personal data with, how we use and store personal data, the purposes for which we use personal data and your rights to your personal data.

Subject Access Requests

SWFTC is aware that people have the right to access any personal information that is held about them. If a person requests to see any data, a procedure is in place to help staff facilitate this.

A response to each request will be provided within 30 days of the receipt of the written request from the Data Subject. Appropriate verification must confirm that the requestor is the Data Subject or their authorised legal representative. Data Subjects shall have the right to require SWFTC to correct or supplement erroneous, misleading, outdated, or incomplete Personal Data. If SWFTC cannot respond fully to the request within 30 days, the Office of Data Protection shall nevertheless provide the following information to the Data Subject, or their authorised legal representative within the specified time:

• An acknowledgement of receipt of the request.

• Any information located to date.

• Details of any requested information or modifications which will not be provided to the Data

Subject, the reason(s) for the refusal, and any procedures available for appealing the decision.

• An estimated date by which any remaining responses will be provided.

• An estimate of any costs to be paid by the Data Subject (e.g. where the request is excessive in nature).*

• The name and contact information of the staff member who the Data Subject should contact for follow up.

*No administration fee will be charged for considering and/or complying with such a request unless the request is deemed to be unnecessary or excessive in nature.

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Data Breaches

Any Town Council staff member or Councillor who suspects that a personal data breach has occurred e.g. due to the theft or exposure of personal data must immediately notify the Information Commissioners Office (ICO) no more than 72 hours after becoming aware of it and provide a detailed description of what occurred. The ICO will then investigate the matter. Procedures are in place for Council staff and councillors to notify and record any data breaches.

The Town Council will periodically review and revise this policy in the light of experience, comments from data subjects and guidance from the Information Commissioners Office.

Responsible Officer	Town Clerk	**Date effective from**	February 2019	**Review date**	February 2020