

BRABOURNE PARISH COUNCIL

Personal Data Management and Audit Policy (July 2018)

Data Management

The General Data Protection Regulations (GDPR) place 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 Parish Clerk (as Data Processor) will follow the underlying principles that personal data:

Must be processed lawfully, fairly and transparently.

Is only used for a ***specific processing purpose*** that the data subject has been made aware of and no other, without further consent.

Should be ***adequate, relevant and limited*** i.e. only the minimum amount of data should be kept for specific processing.

Must be ***accurate*** and, where necessary, ***kept up to date***.

Should ***not be stored for longer than is necessary***, and that storage is safe and secure.

Should be processed in a manner that ensures ***appropriate security and protection***.

The Parish 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 Parish Council (as Data Controller) has adopted a Data Protection Policy and Subject Access Request Policy. These, together with the Parish Council's Privacy Notice, are available to view on the Council website or via the Parish Clerk. The Parish Clerk (as Data Compliance Officer) will:

- Ensure that data is held securely, password controlled on a need-to-know basis and back-up systems are in place;
- Maintain a processing log of data;
- Ensure that data is held no longer than is necessary and follows guidelines for its deletion;
- Ensure that Consent Forms are obtained where necessary, recorded and reviewed as necessary;
- Undertake data protection impact assessments where required for new projects, as directed by the Parish Council (as Data Controller);
- Ensure the notification of personal data breaches;
- The Parish Clerk will report to the Parish Council on progress in compliance with GDPR, to include any required monitoring identified.

Data Audit

SUBJECT	Nature/purpose of processing	Type of data/where is it from	Who is the data subject?	Lawful basis/bases for processing	Data Controls
Planning Applications	Consultations and decisions published by the Local Planning Authority and shared with Parish Council. Parish Clerk emails details of each application to Parish councillors. Also published with agenda and Minutes and discussed in the Open Session. Parish Council comments on each application is published by the Local Planning Authority	Name and contact information; principal authority; residents/public	Planning applicant/resident; other members of the public speaking in Open Session at council meetings	Compliance with legal obligation	Information in Agenda and Minutes to include only what is necessary to identify and discuss the application or decision. Any correspondence between Parish Council and applicant to be in accordance with data protection principles, and to be deleted in accordance with the Parish Council's document retention policy
Parish councillor details	Parish Clerk retains contact details/gathered for election purposes/published in accordance with the Transparency Code and Code of Conduct	Name, address, contact details and disclosable pecuniary interests	Parish councillors	Compliance with legal obligations in accordance with Transparency Code and Code of Conduct	Details published on website in accordance with statutory requirements. Data held by Parish Clerk, on the Parish Clerk's laptop, and deleted when a Parish Councillor retires from office. Requests for this data (from third parties) shall be referred to the website
Electoral register	Provided to Parish Clerk annually, with monthly updates re amendments	Provided by Principal Authority and contains names, address, marital status; principal authority	Parish residents	Compliance with legal obligation	Parish Clerk to retain in a secure place, not to be shared or photocopied; members of the public to

					be directed to Principal Authority for any electoral roll queries
Parish magazine	Inform residents and gain views of residents. Advertising copy	Advertisers and subscribers names and contact details - from advertisers and subscribers	Advertisers and subscribers	Consent	Parish Clerk to retain in a secure place – legitimate interest with regard to advertisers and subscribers. Not to be used for another purpose unless consent is given
Parish Council website	Information relating to the Parish Council is published on the website	Residents' names	Members of the public	Consent; compliance with legal obligation	Not to be used for another purpose unless consent is given
Correspondence from members of the public/residents/other parties relating to parish matters which may contain personal data	May relate to Parish Council Services, Parish Council performance, request for service, reporting issues or making complaints	Name, address, contact details, with possible sensitive personal data, depending on the nature of the matter, provided by residents	Members of the public, residents	Public interest; compliance with legal obligation	Any email letter or other form of query received by the Parish Council which contains personal data will be retained in accordance with the Parish Council's document retention policy. Such data may be stored on the Parish Clerk's laptop and held by the Parish Clerk in a secure place. The agreed privacy notice shall be provided to any person who contacts the Parish Council or directed to the link on the Parish Council website. 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.
Parish Council Minutes which include an Open Session	Matters raised by members of the public at Council meetings; Minutes include a record of discussion as required by Local Government legislation	Names and possibly other information	Members of the public, residents	Public interest; compliance with legal obligation	Parish Clerks should try 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. Members of the public who attend the Open Session or the Annual Meeting should be informed by the Chairman that the issue may be included in public Minutes and should give their consent to this before the discussion (consent to be inferred as Chairman gives the members of the public the chance to withdraw from the meeting if they wish)
Contact with public in response to requests made at Parish Council meetings	Letter/email to residents asking them to perform actions (eg, trim trees or hedges)	Names, addresses and possibly other personal data provided by Parish Councillors/residents	Members of the public, residents	Public interest; compliance with legal obligation	Copy to be retained on Parish Clerk laptop (held by Clerk in a secure place) in accordance with the Parish Council's document retention policy Information shall not be shared with any third

					party without express permission of the data subject
Parish Council Contracts and Services	Correspondence with contractors/public to carry out contracting work and services required by the Parish Council	Names, contact details, qualifications, financial details, details of certificates and diplomas, education and skills; provided in contract applications etc.	Contractors/Tradespersons, surveyors, architects, builders, suppliers, advisers etc.	Contractual necessity	Copy to be retained on Parish Clerk's laptop (held by Clerk in a secure place) for life of contract.
Any other subject where personal data may be held	Personal data which comes under the control of the Parish Council which does not fit into any of the categories above	Names, addresses and possible other personal data	Various	Various	Parish 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.
Allotments	Allotment holders	Allotment holders provide personal contact information when applying	Residents	Contractual necessity	Legitimate interest – allotments are leased to holders. The privacy notice shall be provided to any allotment holder who contacts the Parish Council or directed to the link on the Parish Council website.

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