



OAKLEY & DEANE PARISH COUNCIL DATA PROTECTION POLICY

Introduction

Oakley & Deane Parish Council is fully committed to compliance with the requirements of the Data Protection Act 1998 ("the Act"). The council will therefore follow procedures that aim to ensure that all employees and councillors, who have access to any personal data held by or on behalf of the council, are fully aware of and abide by their duties and responsibilities under the Act.

Statement of policy

In order to operate efficiently and effectively it is necessary for Oakley & Deane Parish Council to collect and use information about people with whom it works. These may include members of the public, current, past and prospective employees, clients and customers and suppliers. In addition, it may be required by law to collect and use information in order to comply with the requirements of central government. This personal information must be handled and processed responsibly. This includes how such information is collected, recorded and used, whether it is on paper, in computer records or recorded by any other means and that there are safeguards within the Act to ensure this.

The Parish Council regards the lawful and correct treatment of personal information as very important to its successful operations and in maintaining confidence between the council and those with whom it carries out business. The council will ensure that it treats personal information lawfully and correctly. To this end the council fully endorses and adheres to the Principles of Data Protection as set out in the Act.

The principles of data protection

The Act stipulates that anyone processing personal data must comply with **Eight Principles** of good practice. These Principles are legally enforceable.

The Principles require that personal information:

1. Shall be processed fairly and lawfully and in particular, shall not be processed unless specific conditions are met;
2. Shall be obtained only for one or more specified and lawful purposes and shall not be further processed in any manner incompatible with that purpose or those purposes;
3. Shall be adequate, relevant and not excessive in relation to the purpose or purposes for which it is processed;
4. Shall be accurate and where necessary, kept up-to-date;
5. Shall not be kept for longer than is necessary for that purpose or those purposes;
6. Shall be processed in accordance with the rights of data subjects under the Act;
7. Shall be kept secure i.e. protected by an appropriate degree of security;
8. Shall not be transferred to a country or territory outside the European Economic Area, unless the country or territory ensures an adequate level of data protection.

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Handling of personal/sensitive information

The Parish Council will, through appropriate management and the use of criteria and controls:

- Observe fully conditions regarding the fair collection and use of personal information;
- Meet its legal obligations to specify the purpose for which information is used;
- Collect and process appropriate information only to the extent that it is needed to fulfil operational needs or to comply with any legal requirements;
- Ensure the quality of information used;
- Apply checks to determine the length of time information is held;
- Take appropriate measures to safeguard personal information;
- Ensure that the rights of people about whom the information is held can be fully exercised under the Act. These include:
 - The right to be informed that processing is being undertaken;
 - The right of access to one's personal information within the statutory 40 days;
 - The right to correct, rectify, block or erase information regarded as wrong information.

Subject Access Requests

Individuals may make a written subject access request to the Parish Clerk. The Council will undertake to provide the requested subject data held by the Parish Council within 40 days of the request. The Parish Council will charge a subject access fee of £20 and the request will not be processed until this is received.

In response to the subject access request, individuals are entitled to a copy of the information held about them either from an automated or paper source. They also have the right to receive a description of why such information is held and to whom it may be declared.

Implementation

The clerk of Oakley & Deane Parish Council is responsible for ensuring adherence with the Data Protection Act.

