

Matlock Bath Parish Council

Chair: Peter Baranek

Website: www.matlockbathparishcouncil.gov.uk

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Data Protection Policy

Matlock Bath Parish Council recognises its responsibility to comply with the Data Protection Act 1998 and the General Data Protection Regulation.

The act and regulation regulate the use of personal data, this does not have to be sensitive data, it can be as little as a name and address.

Data Protection Act

The Data Protection Act 1998 sets out high standards for the handling of personal information and protecting individuals' rights for privacy. It also regulates how information can be collected, handled and used. The Data Protection Act applies to anyone holding information about people electronically or on paper.

The General Data Protection Regulation

The General Data Protection Regulation 2018 says that the information provided to people about how we process their personal data must be concise, transparent, intelligible and easily accessible, written in clear and plain language, particularly if addressed to a child and free of charge.

As a local authority, Matlock Bath Parish Council, has a number of procedures in place to ensure that it complies with the Data Protection Act 1998 and the General Data Protection Regulation 2018 when holding personal information.

Matlock Bath Parish Council has appointed the Parish Clerk as the designated Data Protection Officer.

When dealing with personal data, Matlock Bath Parish Council's Clerk/RFO and Councillors must ensure that:

- **It is processed fairly and lawfully** – This means that information should only be collected from individuals if staff and Councillors have been open and honest about why they want the information.
- **It is processed for specified purposes only.**
- **It is relevant to what it is needed for** - Data will monitored so that too much or too little is not kept; only data that is needed should be held.
- **It is accurate and kept up to date** – Personal data should be accurate, if it is not it should be corrected.
- **It is not kept longer than it is needed.**
- **It is processed in accordance with the rights of individuals** - This means that individuals must be informed, upon request, of all the information held about them.
- **It is kept securely** – This means that only staff can access the data, it should be stored securely so it cannot be accessed by members of the public.

Collecting Data

Matlock Bath Parish Council recognises its responsibility to be open with people when taking personal details from them. If a member of the public gives their telephone number/e-mail address or address to

Matlock Bath Parish Council, this will only be used for the purpose it has been given and will not be disclosed to anyone.

Storing and Accessing Data

Matlock Bath Parish Council may hold information about individuals such as their addresses and telephone numbers. These are kept in a secure location at the Parish Council's office and not available for the public to access. Once data is not needed anymore, if it is out of date or has served its use, it will be shredded or deleted from the computer.

The Parish Council is aware that people have the right to access any information that is held about them. If a person requests to see any data that is being held about them:

- They must be sent all of the information that is being held about them.
- There must be an explanation for why it has been stored.
- There must be a list of who has seen it.
- It must be sent within one month.
- Requests that are manifestly unfounded or excessive may be refused or a charge made.
- If a request is refused, a reason must be given.
- If an individual requests that their data is rectified or erased, this will be carried out.

Disclosure of Information

If a Councillor needs to access information to help carry out their duties, this is acceptable. They are only, however, able to access as much information as necessary and it should only be used for that specific purpose.

Confidentiality

Matlock Bath Parish Council must be aware that when complaints or queries are made, they must remain confidential unless the subject gives permission otherwise. When handling personal data, this must also remain confidential. If a data breach is identified the ICO must be informed and an investigation will be conducted.

This policy will be reviewed annually, as well as an annual review of the compliance and effectiveness of the policy.

- On receipt of the request, notify the Chairman of the Council.
- Correctly identify whether a request has been made under the Data Protection legislation.
- Clerk or Councillor, as appropriate, who receives a request to locate and supply personal data relating to a SAR must make a full exhaustive search of the records to which they have access.
- All the personal data that has been requested must be provided unless an exemption can be applied.
- All requests must be responded to within one calendar month after accepting the request as valid.
- Subject Access Requests will be undertaken **free of charge** to the requestor unless the legislation permits reasonable fees to be charged.
- Where a requestor is not satisfied with a response to a SAR, full Council must manage this as a complaint.
- Requesters should also be advised that they may complain to the Information Commissioner's Office if they remain unhappy with the outcome.

When exercising any of the rights listed above, in order to process your request, we may need to verify your identity for your security.

Further Processing

If we wish to use your personal data for a new purpose, not covered by this Data Protection Notice, we will provide you with a new notice explaining this new use prior to commencing with processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing.

Contact Details

Matlock Bath Parish Council, Coppice End, 19 Derby Road, Matlock Bath, Derbyshire DE4 3PU

Telephone: 07914 420545 or e-mail: clerk@matlockbathparishcouncil.gov.uk

You can contact the Information Commissioners Office on 0303 123 1113 or by e-mail ico.org.uk/global/contact-us/e-mail or at the Information Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF