

Holme Low Parish Council

Data Protection Policy

Scope

In order to operate efficiently, Holme Low Parish Council has 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 dealt with properly, however it is collected, recorded and used, and whether it be on paper, in computer records or recorded by any other means, and there are safeguards within the Act to ensure this. This covers the whole lifecycle, including:

- The obtaining of personal data;
- The storage and security of personal data;
- The use of personal data;
- The disposal / destruction of personal data.

Holme Low Parish Council regards the lawful and correct treatment of personal information as very important to its successful operations and to 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 Data Protection Act 1998.

The Council also has a responsibility to ensure that data subjects have appropriate access - upon written request - to details regarding personal information relating to them.

Actions

By following and maintaining strict safeguards and controls, the Council will:

A1. Acknowledge the rights of individuals to whom personal data relates, and ensure that these rights may be exercised in accordance with the Act;

A2. Ensure that both the collection and use of personal data is done fairly and lawfully;

A3. Ensure that personal data will only be obtained and processed for the purposes specified (in their pursuit of the Council's aims and objectives);

A4. Collect and process personal data on a "need to know" basis, ensuring that such data is fit for the purpose, is not excessive, and is disposed of at a time appropriate to its purpose;

A5. Ensure that adequate steps are taken to ensure the accuracy and currency of data;

A6. Ensure that for all personal data, appropriate security measures are taken both technically and organisationally - to protect against damage, loss or abuse;

A7. Ensure that the movement of personal data is done in a lawful way - both inside and outside the Council and that suitable safeguards exist at all times.

Enablers

In order to support these actions, the Council will ensure that:

E1. There is someone with specific responsibility for data protection within the Council which is the Town Clerk.

E2. Everyone managing and handling personal information understands that they are contractually responsible for following good data protection practice.

E3. Ensure that all activities that relate to the processing ¹ of personal data have appropriate safeguards and controls in place to ensure information security and compliance with the Act;

E4. Ensure that all contracts and service level agreements (SLAs) between the Council and external third parties - where personal data is processed - make reference to the Act as appropriate;

E5. Ensure that all staff acting on the Council's behalf understand their responsibilities regarding information security under the Act, and that they receive the appropriate training / instruction and supervision so that they carry these duties out effectively and consistently and are given access to personal information that is appropriate to the duties they undertake;

E6. Ensure that all third parties acting on the Council's behalf are given access to personal information that is appropriate to the duties they undertake and no more;

E7. Ensure that any requests for access to personal data are handled courteously, promptly and appropriately, ensuring that either the data subject or his/her authorised representative has a legitimate right to access under the Act, that the request is valid, and that information provided is clear and unambiguous ²

E8. Review this policy and the safeguards and controls that relate to it annually - to ensure that they are still relevant, efficient and effective.

Data Subjects making an enquiry

Data subjects wanting to make a formal application to the Council under the Data Protection Act 1998 for a copy of all the information the Council holds on them, an explanation of the processes carried out on that information and any disclosures and sources of information should complete a 'Subject Access Request Form' or put the request in writing to the Data Protection Officer at the address below. They will need to provide any necessary details to identify themselves. They are entitled to receive a reply within 40 days of the Data Protection Officer receiving the application, which

needs to be accompanied by the necessary fee and suitable identification. The Council will charge a fee of £10 per application.

Mrs Wendy Jameson
Data Protection Officer
5 Burnswark Terrace
Solway Street
Silloth
Cumbria
CA7 4EF

1. Processing as defined by the Act as obtaining, recording, holding, organisation, adaptation, alteration, retrieval, consultation, use, disclosure, alignment, combination, blocking, erasure and destruction.
2. All actions regarding data subject access requests will be logged. This audit trail will include details regarding the nature of the request, the steps taken to validate it, the information provided as well as any withheld, e.g. for legal reasons.

Subject Access Request Form

Data Protection Act 1998

The Data Protection Act entitles you to ask for a copy of any personal information we hold about you. In addition to the information itself, you are entitled to be told why we have the information, to whom we disclose it and where we obtained it. Completion of this form will enable the Town Council to deal promptly with your request for access and to satisfy the legal requirements placed upon it.

Please note that, where the term "Data Subject" is used, it refers to the person about whom the information is being requested.

PLEASE USE BLOCK CAPITALS

<p>1. Details of person requesting the information</p> <p>Full name _____</p> <p>Address _____</p> <p>_____</p> <p>_____ Post Code _____</p> <p>Telephone No _____ E-mail Address _____</p> <p>_____</p> <p>2. Are you the Data Subject? (Please delete the option which does not apply)</p> <p>YES: I am the Data Subject and I enclose a form of identification. (Acceptable forms are a copy of your birth certificate, driving licence or heading from a recent bill. Please do not send the original.) If you are not the Data Subject please go to Question 5.</p> <p>NO: I am not the Data Subject but I am acting on behalf of him/her with written authority to do so. (Please enclose the original of the authority and a form of identification for the Data Subject and go to Questions 3,4 and 5.)</p> <p>_____</p> <p>3. Details of the Data Subject (if different to Question 1.)</p> <p>Full name _____</p> <p>Address _____</p> <p>_____</p>

Post Code _____

Telephone No _____

E-mail Address _____

4. Please say briefly why you are seeking information about somebody else (where applicable).

5. Please describe the information you want as clearly as possible.

Note: we are allowed to charge for each application. The current fee is £10.

Declaration (to be completed by all applicants). Please note that any attempt to mislead may result in prosecution.

I certify that the information given on this form is true. I understand that it is necessary for Silloth-on-Solway Town Council to confirm my identity and that of the Data Subject (where different) and that it may be necessary to obtain more detailed information in order to comply with this application.

I enclose the fee of £10.00 (Cheques should be made payable to Silloth Town Council).

Signed _____

Date _____

Note: We must respond to your request within 40 days. That period will not begin until we have received your fee and are satisfied about your identity and that of the Data Subject (where different).

Please send the completed form to please send this form to the Data Protection Officer, Silloth-on-Solway Town Council, 5 Burnswark Terrace, Solway Street, Silloth, Cumbria, CA7 4EF.

Data Protection Act 1998

We will use the information you give us to * do the tasks we need to for the job shown in the title of this form * carry out any of our official business * stop fraud or crime * Under the Data Protection Act Silloth-on-Solway Town Council is the Data Controller (the holder, user and processor of data) for the information you have given us on this form.