

HADNALL PARISH COUNCIL

Personal Data Management and Audit Policy April 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:

- (a) Must be processed lawfully, fairly and transparently.
- (b) Is only used for a **specific processing purpose** that the data subject has been made aware of and no other, without further consent.
- (c) Should be **adequate, relevant and limited** i.e. only the minimum amount of data should be kept for specific processing.
- (d) Must be **accurate** and, where necessary, **kept up to date**.
- (e) Should **not be stored for longer than is necessary**, and that storage is safe and secure.
- (f) 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 Privacy Policy and Subject Access Request Policy. These, together with the General 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) and upon the advice of the Data Protection Officer (DPO) (when one is appointed);
- Ensure the notification of personal data breaches, in consultation with the DPO and the Parish Council's Security Incident Response Policy;

- In consultation with the DPO, 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 Planning Authority and shared with Parish Council. Parish Clerk emails details of each application and decision to Parish Councillors. Also published with agenda and minutes and discussed in open forum. Parish Council comments on application provided by Planning Authority	Name and contact information; principal authority; residents/public	Planning applicant/resident; other members of the public speaking in open public session at council meetings	Compliance with legal obligation	<ul style="list-style-type: none"> • Parish Clerk to check all information before sharing with Parish Councillors, and ensure sensitive personal data is redacted wherever possible before sharing or publishing. • 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 within two years.
Electoral roll	Provided to Parish Clerk at election time for election purposes only	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; members of the public to be directed to Principal Authority for any electoral roll queries.
Parish Newsletter/Resident Surveys	Inform residents and gain views of residents	Resident names and contact details - from residents	Residents	Consent	Parish Clerk to retain in a secure place and obtain consent form. Not to be used for another purpose unless consent is given.
Website	Information relating to the Parish is published on the website	Residents names and photographs	Members of public	Consent; compliance with legal obligation	Photographs of individuals are not to be published on the website without the express permission of the individual and deleted after a maximum of two years. No copy of the photograph shall be retained by the Parish Council.
Parish Councillor details	Parish Clerk retains contact details/gathered for election purposes/published in	Name, address, contact details, and disclosable pecuniary interests	Parish Councillors	Compliance with legal obligation	Details published on website in accordance with statutory requirements. Data held by Parish Clerk, on the Parish

	accordance with Transparency Code and Code of Conduct				Council laptop, and deleted when a Parish Councillor retires from office. Requests for this data (from third parties) shall be referred to the website.
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	<ul style="list-style-type: none"> Any email letter of other form of query received by the Parish Council which contains personal data will be retained for a maximum of two years Such data may be stored on the Parish Council 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. 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.
Minutes containing Council Public Forum	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	Residents/members of the public	Compliance with legal obligation; public interest	<ul style="list-style-type: none"> 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 public forum or the Annual Meeting should be informed by the Chair that the issue may be included in public minutes and should give their consent to this before the discussion (consent to be implied as Chair 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 (e.g. trim trees or hedges)	Names, addresses and possibly other personal data provided by Parish Councillors/residents	Residents/members of the public	Compliance with legal obligation; public interest	<ul style="list-style-type: none"> Copy to be retained on Parish Clerk laptop (held by Clerk in a secure place) for a maximum of two years.

					<ul style="list-style-type: none"> 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, payroll processors etc.	Contractual necessity	Copy to be retained on Parish Council laptop (held by Clerk in a secure place) for life of contract.
Employment Applications	Application forms and CVs for Job Vacancies	Applicants provide personal details which may be sensitive	Applicants	Contractual Necessity	Parish Clerk to keep paper applications secure and collect any copies from Parish Councillors provided for interview. Held for 6 months and then destroyed.
Allotments	Application forms	Allotment holders provide personal contact information when applying	Residents	Contractual Necessity	Parish Clerk to keep paper applications secure. Held for as long as the application has the allotment and then destroyed.
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	<ul style="list-style-type: none"> 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. Parish Clerk may need to present a report to Parish Council to determine the way in which the data should be controlled, taking advice from the DPO (when appointed) and, if necessary provide, a Personal Data Impact Assessment.

Mrs. K.M. Smith-Wells, Clerk to Hadnall Parish Council, c/o 5 Allgold Drive, Shrewsbury, SY2 5NN. Email: hadnallparish@btinternet.com. Telephone: 01743 360890.

Adopted by the Council on the 14th of May 2018