

## **DATA PROTECTION PRIVACY POLICY 2018**

The Council in the course of its official duties collects only a limited amount of personal data.

Personal data is that about a 'natural person' (living individual) from which that individual can be identified directly or indirectly. This must include the individual's name plus some other form of data such as a home or email address, date of birth, financial details, etc. The person whom the data is about is called a data subject.

The processing of personal data is governed by legislation in the form of the Data Protection Act and the Human Rights Act. The Council will at all times work to the legislation.

Stoney Middleton Parish Council is the data controller under the legislation.

The Data Protection Act has 6 key Principles as follows:

- (a) Processed lawfully, fairly and in a transparent manner in relation to the data subject. This will commonly be known as – **lawfulness, fairness and transparency**.
- (b) Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes. This will be commonly known as – **purpose limitation**.
- (c) Adequate, relevant and limited to what is necessary in relation to the purpose for which they are processed. This will be commonly known as – **data minimisation**.
- (d) Accurate and where necessary, kept up-to-date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay. This will be commonly known as – **accuracy**.
- (e) Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed, subject to implementation of the appropriate technical and organisational measures required by this regulation in order to safeguard the rights and freedoms of the data subject. This will be commonly known as – **storage limitation**.
- (f) Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures. This will be commonly known as – **integrity and confidentiality**.

Stoney Middleton Parish Council process personal data through the provision of the following public services:

- *Allotment provision*

In addition, personal data may be captured and processed for the purpose of staff administration and employment.

Personal data may be captured by the Council when residents send emails or telephone the Clerk. For some services data will be captured through an application form. Employee data may be captured through job application forms and appointment documents. The Council may also collect and process personal data through consultation exercises.

In order to collect and process personal data the Council must have a lawful basis to do so. This is usually achieved through statutory functions or powers. The following is the basis by which the Council processes data:

Allotment Provision	Performance of Public Task 6(1)(e)
Staff Admin and Employment	Legal Obligation 6 (1) (c)

No sensitive personal data or special category data such as health or medical data is routinely processed by the Council. Where personal data is being processed a Privacy Notice will be provided which will inform the data subject what the Council will do with their data.

The Council does not regularly share any personal data with third parties. The culture is one of protecting personal data and checking with the data subject if contact details are to be passed on. There are no external data processors employed. The Council will ensure that any data it processes is kept securely and only retained for a limited period.

The Council will ensure that all necessary technical measures are put in place for data held manually and electronically. The Council will not use personal data to market services to residents unless they have given explicit consent to receive such information. No personal data will be transferred outside of the European Union. The Council website is covered by a Privacy Notice.

Data subjects have a right to access personal data that the Council holds on them. Adequate proof of identity and address will be needed to respond to any such requests. The Council will respond to valid requests within one month.

Data subjects also have the following rights:

- The right to correct and have personal data updated.
- The right to have personal data erased where there is no legal reason to maintain the data
- The right to object to processing of personal data or to restrict it to certain purposes only.
- The right of data portability.
- The right to withdraw consent to processing where consent was obtained.
- The right to lodge a complaint with the Information Commissioner's Office (03031231113 or via their website <https://ico.org.uk/concerns/>)

Given the limited amount of personal data processed by the Parish Council not all of the above rights are applicable to the data held. Any data protection concerns or questions should be addressed in the first instance to: [Barry Aldridge; Parish Clerk](#)

The Council will deal with any requests under the above rights on their own merit and will seek advice.  
Adopted