

# BIDDENDEN PARISH COUNCIL

## Data Protection Policy

### The 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 personal information can be collected, handled and used. The Data Protection Act applies to anyone holding personal information about people, electronically or on paper.

### Data Protection Policy

Biddenden Parish Council recognises its responsibility to comply with the Data Protection Act 1998. As a local authority, Biddenden Parish Council has put procedures in place to ensure that it complies with The Data Protection Act 1998 when holding personal information. The Parish Council has also notified the Information Commissioner that it holds personal data about individuals.

When dealing with personal data, the Parish Clerk and Councillors must ensure that:

- **Data is processed fairly and lawfully:** This means that personal information should only be collected from individuals if staff and Councillors have been open and honest about why they want the personal information.
- **Data is processed for specified purposes only**
- **Data is relevant to what it is needed for:** This means that data will be monitored so that only what is required should be retained.
- **Data is accurate and kept up to date:** This means that where data is retained it should be maintained to ensure that it remains accurate.
- **Data is not kept longer than it is needed**
- **Data is processed in accordance with the rights of individuals:** This means that individuals must be informed, upon request, of all the personal information held about them.
- **Data is kept securely:** This means that only the Parish Clerk and Councillors can access the data and that it should be stored securely so it cannot be accessed by members of the public.

### Storing and accessing data

Biddenden Parish Council recognises its responsibility to be open with members of the general public when taking personal details from them. The Parish Clerk and/or Councillors must therefore be honest about why they require personal information. If, for example, a member of the public gives their phone number to staff or a Councillor, this will only be used for the purpose that it has been given and that it will not be disclosed to anyone else without that person's express permission.

Biddenden Parish Council may hold personal information, such as addresses and telephone numbers. These will be securely kept by the Parish Clerk and will not be available for public access. All data stored on Parish Council computers are password protected. Once personal data is no longer required, is out of date or has served its use and falls outside the minimum retention time of the Council's document retention policy, it will be shredded or securely deleted from the computer.

The Parish Council is aware that members of the general public have the right to access any personal 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 personal information that is being held about them;
- there must be an explanation why it has been stored
- there must be provided with a list of who has seen it
- it must be provided within 40 days

A fee to cover photocopying and postage charges will be levied to the person requesting their personal information, for settlement prior to release of the information. The fee will be agreed by the Parish Council and amended in line with inflation from time to time. Currently this fee must not exceed £10.

### **Disclosure of personal information**

A Councillor may access information covered by the Act to help carry out their Parish duties, but they may only access as much information as is necessary and it should only be used for that specific purpose. However, before they access any sensitive information about a person, they require consent to do this from the Parish Clerk. The Clerk will maintain a record of who has accessed what information, when and for what purpose.

### **Confidentiality**

All personal data must remain confidential. Parish Councillors and the Parish Clerk must be aware that when complaints or queries are raised by a member of the general public, personal details and details of the complaint must remain confidential unless and until that member of the general public has given written permission otherwise.

### **CCTV**

The CCTV installation in the High Street Car Park is covered by the Data Protection Act (DPA). This gives persons the right to see information held about them, including CCTV images of them, or images which give away information about them (such as their car number plate). Biddenden PC will manage CCTV installations in accordance with the current Information Commissioners Office (ICO) CCTV code of practice.

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