

Wicken Parish Council

General Data Protection Policy

1. Legal requirement

- 1.1. This Policy was adopted by the Parish Council in order to comply with the requirements of the General Data Protection Regulations (GDPR), in force from 25 May 2018.
- 1.2. The UK Government has adopted GDPR as the standard after leaving the European Union.
- 1.3. A Parish Council is no longer required to appoint a Data Protection Officer
- 1.4. In circumstances where it applies, the Council is designated the Data Controller

2. Definition of personal data

- 2.1. Personal data is information that relates to an identified or identifiable individual. What identifies an individual could be as simple as a name or a number or could include other identifiers such as an IP address or a cookie identifier, or other factors. (Information Commissioners' Office)

3. Legal Basis for Processing your Personal Data

- 3.1. The General Data Protection Regulation - Article 6 sets out the legal basis for processing data. We will rely on one of the following four (sometimes more than one will apply):
 - 3.1.1. Processing is with the consent of the data subject
 - 3.1.2. Processing is necessary for the performance of a contract
 - 3.1.3. Processing is necessary for compliance with a legal obligation
 - 3.1.4. Processing is necessary for the performance of a task carried out in the public interest

4. Processing of Personal Data

- 4.1. The Parish Council will hold personal data where this has usually been supplied directly from the individual with their consent
- 4.2. From time to time and for specific tasks the Parish Council may have access to the Electoral Register containing names and addresses of persons registered within the parish.
- 4.3. Typically the Parish Council will only process the following data
 - 4.3.1. Names, titles, and aliases, photographs
 - 4.3.2. Contact details such as addresses, telephone numbers and email addresses.
- 4.4. Data is retained for the length of time that is required to resolve the problem. Certain data may be archived.
- 4.5. The data held must be:
 - 4.5.1. Used lawfully, fairly and in a transparent way.
 - 4.5.2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
 - 4.5.3. Relevant to the purposes we have told you about and limited only to those purposes.
 - 4.5.4. Accurate and kept up to date.
 - 4.5.5. Kept only as long as necessary for the purposes we have told you about.
 - 4.5.6. Kept and destroyed securely including ensuring that appropriate technical and security measures are in place to protect your personal data to protect personal data from loss, misuse, unauthorised access and disclosure.

5. Data may be shared with:

- 5.1. Elected members of the Council and the Parish Clerk
- 5.2. West Northamptonshire Council if it is necessary in order to resolve your issue
- 5.3. Our auditors if it is necessary for the performance of the audit
- 5.4. Persons or organisations with a legal right to request the information.

6. The rights of the individual The UK GDPR provides the following rights for individuals:

- 6.1. The right to be informed
 - 6.1.1. Individuals have the right to be informed about the collection and use of their personal data. This is a key transparency requirement under the UK GDPR.
 - 6.1.2. The Council will provide individuals with information including the purpose for processing the personal data, the retention periods for that personal data, and who it will be shared with. We call this 'privacy information'. (see Para 4)

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- 6.1.3. The Council will provide privacy information to individuals at the time the personal data is collected.
- 6.2. The right of access
 - 6.2.1. Individuals have the right to access and receive a copy of their personal data, and other supplementary information, commonly referred to as a subject access request or 'SAR'.
 - 6.2.2. Individuals can make SARs verbally or in writing, including via social media.
 - 6.2.3. Details for obtaining the information are contained in the Wicken Parish Council Freedom of Information policy
- 6.3. The right to rectification
 - 6.3.1. The UK GDPR includes a right for individuals to have inaccurate personal data rectified, or completed if it is incomplete.
 - 6.3.2. An individual can make a request for rectification verbally or in writing.
- 6.4. The right to erasure
 - 6.4.1. The UK GDPR introduces a right for individuals to have personal data erased.
 - 6.4.2. The right to erasure is also known as 'the right to be forgotten'.
 - 6.4.3. Individuals can make a request for erasure verbally or in writing.
- 6.5. The right to restrict processing
 - 6.5.1. Article 18 of the UK GDPR gives individuals the right to restrict the processing of their personal data in certain circumstances. This means that an individual can limit the way that an organisation uses their data. This is an alternative to requesting the erasure of their data.
 - 6.5.2. Individuals have the right to restrict the processing of their personal data where they have a particular reason for wanting the restriction. This may be because they have issues with the content of the information held or how it has been processed.
- 6.6. The right to data portability
 - 6.6.1. The right to data portability allows individuals to obtain and reuse their personal data for their own purposes across different services.
 - 6.6.2. It allows them to move, copy or transfer personal data easily from one IT environment to another in a safe and secure way, without affecting its usability.
- 6.7. The right to object
 - 6.7.1. The UK GDPR gives individuals the right to object to the processing of their personal data in certain circumstances.
 - 6.7.2. Individuals have an absolute right to stop their data from being used for direct marketing.
- 6.8. Rights in relation to automated decision making and profiling.
- 6.9. The above information is sourced from the Information Commissioner's website where fuller details on the rights may be obtained <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

7. Summary

- 7.1. The Parish Council only collects a limited amount of information about you that is necessary for correspondence, information and service provision.
- 7.2. We do not use profiling, we do not sell or pass your data to third parties.
- 7.3. We do not use your data for purposes other than those specified.
- 7.4. We make sure your data is stored securely.
- 7.5. We delete all information deemed to be no longer necessary.
- 7.6. We may update this page from time to time to reflect changes in the law and/or our privacy practices.

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