



**STONEHOUSE**  
**TOWN COUNCIL**

## **DATA PROTECTION POLICY**

Policy adopted on 22<sup>nd</sup> January 2018 Minute No TC1973  
Review Date: AGM 2018

The Town Council holds and processes information about employees, Councillors and other data subjects for administrative purposes. When handling such information, staff, Town Councillors and service providers who process or use any personal information, must comply with the Data Protection Principles which are set out in the General Data Protection Regulation.

## **PRIVACY NOTICE**

**Data Subjects should note that any information given will be held securely and processed in accordance with the rules on data protection. We will not disclose your personal details to anyone unconnected to the Council unless:**

- **You have consented to their release, or**
- **We are legally obliged to disclose them or**
- **We regard disclosure as either (a) necessary so that we can properly carry out our statutory functions or (b) necessary in the public interest**

**We may share and disclose information about you with relevant public authorities, regulatory bodies and agencies, outside the Council but only if:**

- **We can lawfully do so**
- **We decide that disclosure is necessary for national security, crime detection, prevention, and law enforcement, or other issues in the public interest**

**Information we collect about you will be used:**

- **To enable us to carry out our statutory functions and duties which may include updating our records, assisting third parties to investigate or prevent crime and carry out law enforcement, data analysis, statistical and survey purposes**

**Information from our sources will be used:**

**In combination with the information above for the given purposes. We will ensure that any such disclosure and use is proportionate, considers your rights to respect for your private life, and is done fairly and lawfully in accordance with the GDPR**

## **Data Controller RESPONSIBILITIES**

The Town Council (The Data Controller) will ensure that there is a process in place to ensure that personal and sensitive data will :

- be processed fairly and lawfully,
- be obtained for a specified and lawful purpose and shall not be processed in any manner incompatible with the purpose,
- be adequate, relevant and not excessive for the purpose
- be accurate and up-to-date,
- not be kept for longer than necessary for the purpose,
- be processed in accordance with the data subject's rights,

- be kept safe from unauthorised processing, and accidental loss, damage or destruction,
- not be transferred to a country outside the European Economic Area, unless that country has equivalent levels of protection for personal data, except in specified circumstances.

The Town Council shall notify all staff, Town Councillors and other relevant data subjects of the types of data held and processed by the Town Council concerning them, and the reasons for which it is processed (see Appendix 1). When processing for a new or different purpose is introduced the individuals affected by that change will be informed and the Appendix 1 will be amended.

The Town Council will carry out a risk assessment of its data processing every 12 months.

### **Data Processor RESPONSIBILITIES**

All staff members shall:

ensure that all personal information which they provide to the Town Council in connection with their employment is accurate and up-to-date;  
 inform the Town Council of any changes to information, for example, changes of address;  
 check the information which the Town Council shall make available from time to time, in written or automated form, and inform the Town Council of any errors or, where appropriate, follow procedures for up-dating entries on computer forms.

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Town Council shall not be held responsible for errors of which it has not been informed.

**All staff members and councillors and service providers will comply with the GDPR in relation to data subjects:**

- ensure that all data subject personal & sensitive information is kept securely;
- ensure that all personal & sensitive information is not disclosed either orally or in writing, accidentally or otherwise to any unauthorised third party.

### **SUBJECT ACCESS REQUESTS**

Staff and other data subjects of the Town Council have the right to access any personal data that is being kept about them either on computer or in structured and accessible manual files. Any person may exercise this right by submitting a request in writing to the Town Clerk.

The Town Council aims to comply with requests for access to personal information as quickly as possible, but will ensure that it is provided within 40 days unless there is good reason for delay. In such cases, the Town Clerk will write to the subject making the request for data explaining the reason for the delay.

**(Freedom of Information requests are dealt with separately within a 20 working day time limit)**

## **SUBJECT CONSENT**

In some cases, such as the handling of sensitive information, the Town Council is entitled to process personal data only with the consent of the individual. In this case the Town Council will request a written consent.

## **COMPLIANCE**

Compliance with the GDPR is the responsibility of the Data Controller and Data Processors. Any individual, who considers that the policy has not been followed in respect of personal data about him, or herself, should raise the matter with the Clerk initially. If the matter is not resolved it should be referred to the **Data Protection Officer who is to be appointed**. Any breach of compliance will be recorded and reported to the Data Subject and the Data Protection Officer. A risk assessment will be carried out to assess the consequences of any breach.

## **APPENDIX 1**

### **Council Information Processing**

The Council has notified the Information Commissioner that personal information may need to be processed for the provision of council services.

The types of information that may be processed include:

- personal details including images
- family details
- lifestyle and social circumstances
- education and employment details
- financial details
- goods and services

We process personal information about:

- Employees and applicants
- suppliers
- customers
- complainants, enquirers
- business contacts
- professional advisers and consultants
- residents of the parish
- elected representatives and holders of public office
- members of the council

The Public Register of Data Controllers on the Information Commissioner's web site contains full details of the Council's current registration.

The register entry provides:

- a fuller explanation of the purposes for which personal information may be used
- details of the types of data subjects about whom personal information may be held
- details of the types of personal information that may be processed
- details of the individuals and organisations that may be recipients of personal information collected by the Council
- information about transfers of personal information.

## Appendix 1

Data is held for the following periods:

General Enquiries	During & Up to 3 months after enquiry resolved
Complaints	During & Up to 6 months after complaint resolved
Job Applications	During process/appointment - personnel record until employment ends/non-appointment deleted within 1 month
Supplier Invoices	7 years
Supplier Bank details	Until supply ceases then deleted
Sales Invoices	7 years
Personnel records	Until employment/pension obligations end
CCTV footage	3 months/purpose reviewed every 12 months
Electoral Roll	Destroyed when out of date
Contact details/images Published on the website with consent	Deleted with written consent
Legal Documents	In perpetuity
Contract/Tenders	Until project ends & Up to 7 years