

# BIDDENDEN PARISH COUNCIL

## Data Protection Policy

### The Data Protection Policy

Biddenden Parish Council recognises its responsibility to comply with the Data Protection Act 1998. The act regulates the use of personal data. This does not have to be sensitive data; it can be as little as a name and address.

### 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.

As a local authority, Biddenden Parish Council has 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**  
Personal information should only be collected from individuals if the Parish Clerk and/or Councillors have been open and honest about why they require the information.
- **Data is processed for specified purposes only**
- **Data is relevant to what it is needed for**  
Data will be monitored so that only what is required should be retained.
- **Data is accurate and kept up to date**  
Personal data should be accurate and any known errors must be corrected.
- **Data is not kept longer than it is needed**  
Data no longer needed will be shredded or securely disposed of.
- **Data is processed in accordance with the rights of individuals**  
Upon request, individuals must be informed of all the personal information held about them.
- **Data is kept securely**  
Only the Parish Clerk and Councillors can access personal data from Council records. 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 it has been given and will not be disclosed to anyone else without that person's permission.

Biddenden Parish Council may hold personal information such as addresses and telephone numbers but it will be securely kept by the Parish Clerk and not made available for public access. All data stored on the 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 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;
- 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 the personal information, for settlement prior to release of the information. The fee scale will be agreed by the Parish Council and amended in line with inflation from time to time.

## **Disclosure of personal information**

A Councillor may access information covered by the Act to help carry out their 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.

## **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.

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