

## **DATA PROTECTION POLICY**

### **Incorporating the requirements of the General Data Protection Regulation**

Adopted January 2021

#### **1. INTRODUCTION**

This policy is applicable to all employees and Councillors of the council.

- In order to provide services and adhere to legislative requirements the Council collects and processes personal information. The Council is fully committed to complying with the Data Protection legislation and is registered as a Data Controller with the Information Commissioners Office (ICO).
- It is the responsibility of every employee and elected Councillor of East Bridgford Parish Council to comply with the obligations under the legislation and this policy. In addition, East Bridgford Parish Council requires its partners and contractors who act on its behalf to comply with the legislation when providing services to and on behalf of the council.

#### **2. POLICY STATEMENT**

The purpose of this policy is to ensure that all elected Councillors, employees and agents acting for and on behalf of the council are aware of their obligations and responsibilities with regard to the collection and processing of personal data under the provisions of the Data Protection legislation and that it is the intention of the council to comply with all aspects and requirements of the legislation.

#### **3. THE DATA PROTECTION LEGISLATION**

- Regulation (EU) 2016/679
- Directive (EU) 2016/680
- Data Protection Act 2018
- Protection Of Freedoms Act 2012
- Human Rights Act 1998

#### **4. DEFINITIONS**

All the terms used within this policy have the meaning assigned to them within the Data Protection Regulation

#### **5. DATA PROTECTION PRINCIPLES**

Article 5(2) of the General Data Protection Regulation provides that the Data Controller is responsible for the compliance with the following principles that Personal Data is

- Processed lawfully, fairly and in a transparent manner in relation to individuals
- Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further

processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;

- Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- 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;
- Kept in a form which permits identification of data subjects for no longer than is necessary for the purpose for which the personal data are processed; personal data may be stored for longer periods, insofar as the personal data will be processed solely for archiving purposes in the public interest or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures.
- 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.

## **6. THE RIGHTS OF INDIVIDUALS**

The GDPR provides the following rights for individuals

- The right to be informed
- The right of access
- The right to rectification
- The right to erasure
- The right to restrict processing
- The right to data portability
- The right to object
- Rights in relation to automated decision making and profiling

## **7. ACCOUNTABILITY**

The council is committed to complying with the provisions of the Data Protection legislation and the six Data Protection principles through ensuring:

- The Council keeps and maintains the records required to comply with its accountability obligations, including records of processing activities as required.
- A Data Protection Officer (the Clerk) is appointed as required and that suitable cover arrangements are in place at all times

- The Council, its Elected Councillors and any other officer which may be required to be, is registered with the Information Commissioners Office as appropriate.
- All elected Councillors, employees, and third parties acting on behalf of the Council are aware of their responsibilities and the consequences of non-compliance with this policy or breaches of the Data Protection legislation through the provision of training and awareness programmes.
- There are technical and organisational measures in place to ensure the security of personal information at all times.
- There are appropriate procedures in place for acknowledging and handling subject access requests and other individual's rights to enable individuals to exercise their rights without undue delay

## **8. RESPONSIBILITY**

All elected Councillors, employees and agents acting for the Council are responsible for ensuring that personal data that they collect, and process is done so in accordance with the Data Protection legislation and this policy.

The Clerk is responsible for ensuring that this policy has been read and understood by employees and elected Councillors.

## **9. BREACHES**

All individuals are responsible for reporting any data breach to the Clerk, who will determine whether the breach should be reportable to the Information Commissioners Office and take immediate actions to address the breach.

## **Policy History and Review**

This policy was approved by East Bridgford Parish Council on 11 January 2021 and took effect from 12 January 2021.

In the event of any significant change to the legal position on Data Protection incorporating GDPR, any relevant statutory requirements or any other related matter, this policy will be subject to review. In the event of no change the policy will be reviewed by January 2022.

Approved: ..... Chairman of the  
Council

Date: ...../...../.....

Folio Reference: .....

**Review Reference**

Review Date	Recorded Amendment to the Policy	Signed