

## MAPPERLEY PARISH COUNCIL

27 April 2018

### General Data Protection Regulations

On the 25<sup>th</sup> May 2018 new data protection regulations come into force with regards the storage, use and processing of personal data. These regulations are known as the General Data Protection Regulations or GDPR.

The purpose of the Act is to protect individuals against possible misuse of personal information and under GDPR to make organisations more accountable and to demonstrate compliance with the Regulation.

The principles require that personal data is:

- a) Fair and lawfully processed.
- b) Processed for limited/specific purposes.
- c) Adequate, relevant and not excessive.
- d) Accurate and up to date.
- e) Not kept for longer than is necessary.
- f) Processed in line with the rights of the individual.
- g) Secure.
- h) Not transferred to countries outside of the EEA without adequate protection.

An individual to whom the information refers is known as the 'data subject' and has certain rights regarding the handling of their personal data:

1. A right of subject access.
2. A right of correction.
3. A right to prevent distress.
4. A right to prevent direct marketing (a hot topic at present!).
5. A right to prevent automatic decisions.
6. A right to complain to an independent adjudicator (the Information Commissioner).
7. A right to compensation (but not through the Information Commissioner).

What does this mean for the Parish Council –

- a) Don't hold emails containing information about individuals for longer than is necessary – this includes councillors who have emails on private laptops/mobiles which includes personal data. Loss of the device or a third party being able to access this 'council' information would effectively be a breach and would have to be reported and possibly incur a large fine.
- b) Identify all the personal data that the council holds, decide if the data is processed (simply saving the data is considered as processing), decide on the Legal Basis for processing and document this.
- c) Ensure that the council has a published process for deleting data and adhere to this process.

- d) Implement privacy notices and put a plan in place for making any necessary changes in time for GDPR implementation.
- e) Check procedures to ensure they cover all the rights individuals have, including how personal data is deleted or provide data electronically in a commonly used format.
- f) Council procedures need updating and a plan on how the council will handle any requests within the new timescales.
- g) Review how the council seeks, records and manages consent and refresh existing consents now if they don't meet the GDPR standard.

A review of the personal data that the Parish Council holds has been carried out and currently includes:

The personal data that the Parish Council holds includes:

<b>Councillors</b>	Name
Captured as part of appointment/election	Address
	telephone
	email
	DOB
	DPI
(declaration of pecuniary interest)	

<b>Employees</b>	Name
Captured as part of appointment	Address
	telephone
	Email
	DOB
	NI
	Next of kin

<b>Complainants/Enquiries</b>	email
Captured within the complaint	Address
	telephone