

Berkswich Parish Council.
Data Protection and Information Security Policy.

The Data Protection Act 1998 came into effect on 1 March 2000. The Act regulates the use of personal data and gives effect in UK law to the European Directive on Data Protection.

The Act gives individuals (data subjects) certain rights. The Clerk to the Council is the Data Controller and he will ensure that the Council is open about its use of information on data subjects and follows sound and proper practices (the Data Protection Principles).

The Data Protection Act 2018 incorporates the General Data Protection Regulation (GDPR) into existing legislation replacing the Data Protection Principles. The GDPR applies from 25th May 2018.

The GDPR has a number of underlying principles. These include that personal data:

- (a) Must be processed lawfully, fairly and transparently in relation to individuals.
- (b) Is only used for a *specific processing purpose* that the data subject has been made aware of and no other, without further consent.
- (c) Should be *adequate, relevant and limited* i.e. only the minimum amount of data should be kept for specific processing.
- (d) Must be *accurate* and where necessary *kept up to date*.
- (e) Should *not be stored for longer than is necessary*, and that storage is safe and secure.
- (f) Should be processed in a manner that ensures *appropriate security and protection*.

Sensitive Data

The Council will ensure that security is adequate for the protection of sensitive data and will not release it without the explicit consent of the individual concerned.

Sensitive personal data is defined as:

- a) the racial or ethnic origin of data subjects;
- b) their political opinions,
- c) their religious beliefs or other beliefs of a similar nature,
- d) whether they are a member of a trade union,
- e) their physical or mental health or condition,
- t) their sexual life,
- g) the commission or alleged commission by them of any offence, or
- h) any proceedings for any offence committed or alleged to have been committed by them, the disposal of such proceedings or the sentence of any court in such proceedings.

Manual Data

Records in paper form will also be handled in accordance with the data protection principles.

Information Security.

All information will be kept in a locked filing cabinet at the Clerk's office.
The only exceptions being when it is being used by the Council at a Council Meeting and when it is copied onto CD and given to the Chairman to hold as a secure copy.

Dealing with subject access requests

The Council will deal with any written subject access request promptly; at least within 40 days from the date of receipt. If further information is needed, the 40 days will begin when this further information is received. Applicants may be asked for a fee of not more than £10 and the 40 days does not begin until this is received.

In response to a subject access request individuals are entitled to a copy of the information held about them, both on computer and as part of a relevant filing system. They also have the right to receive a description of why their information is processed, anyone it may be disclosed to, and any information available to you about the source of the data..

This document will be reviewed in May each year.

1st May 2018