

# ROCKHAMPTON PARISH COUNCIL

## PERSONAL DATA MANAGEMENT & AUDIT POLICY

DOCUMENT HISTORY			
Revision No	Details	Minute Ref	Date approved
1	Replaces policy Rockhampton PC Information Audit for GDPR	116/21.3.2.	23/08/2021
2	Reviewed and approved	238/23.2.	21/06/2023

## **Data Management**

The General Data Protection Regulations (GDPR) place a much greater emphasis on transparency, openness and fairness than previous legislation required. The Parish Council (as Data Controller) will ensure the Principles of Data Protection legislation will be followed in the management of personal data and that of employees and councillors understand the requirements of the new legislation. The Parish Clerk (as Data Processor) will follow the underlying principles that personal data:

- a. Must be processed lawfully, fairly and transparently
- b. Is only used for ***specific processing purposes*** that the data subject has been made aware of any 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 necessary***, and that storage is safe and secure.
- f. Should be processed in a manner that ensures ***appropriate security and protection***.

The Parish Clerk will manage subject access requests allowing data subjects to exercise their rights under the GDPR

- The right to access personal data we hold;
- The right to correct and update the personal data we hold on you;
- The right to have your personal data erased;
- The right to object to processing of your personal data or to restrict it to certain purposes only;
- The right to data portability;
- The right to withdraw your consent to the processing at any time for any processing of data to which consent was obtained;
- The right to lodge a complaint with the Information Commissioner's Office;

The Parish Council (as Data Controller) has adopted a Privacy Policy and Subject Access Request Policy. These, together with the General Privacy Notice, are available to view on the Council website or via the Parish Clerk. The Parish Clerk (as Data Compliance Officer) will:

- Ensure that data is held securely, password controlled on a need-to-know basis and back-up systems are in place;
- Maintain a processing log of data;
- Ensure data is held no longer than is necessary, and follows guidelines for its deletion;
- Ensure that Consent Forms are obtainable where necessary recorded and reviewed as necessary;
- Undertake data protection impact assessments where required for new projects, as directed by the Parish Council (as Data Controller) and upon the advice of the Data Protection Officer (DPO) (when one is appointed);
- Ensure the notification of personal data breaches, in conjunction with the DPO and Parish Council's Security Incident Response Policy;

**ROCKHAMPTON PARISH COUNCIL**

**Information Audit (Scope of GDPR)**

**Personal and Special Personal Data only**

Any information relating to a living person who can be identified, directly or indirectly – such as a name, an ID number, location data, an online identifier (e.g. I.P. address)

- racial / ethnic origin
- political opinions
- religious/philosophical beliefs
- trade union membership

- genetic data
- biometric data (for ID purposes)
- health
- sex life or sexual orientation

What category	Nature/purpose of processing	Further details	Personal / Special Personal	Data Subjects	Lawful basis Why (purposes)	Where? (stored / processed)	Share externally? (Y/N & whom)	How long kept for?
Staff – Payroll	To paying them	Name, Address, telephone no, salary, Contract of Employment, Pension status	P	Staff	Legal obligation	On paper forms and HMRC Basic PAYE Tool software	Y – HMRC	8 years + current
Parish Councillor details	Parish Clerk retains contact details/gathered for election purposes/published in accordance with Transparency Code and Code of Conduct	Names, Address, email, telephone no and disclosable pecuniary interests	SP	Councillors	Legal obligation To undertake their roles and responsibilities	In paper form, electronically, council website	Y – South Glos Council	While serving as a Councillors and then destroyed
Correspondence from members of the public/residents/other parties relating to parish matters which may contain personal data	May relate to Parish Council Services, Parish Council Performance, request for service, reporting issues or making complaints	Names, Address, contact details with possible sensitive personal data, depending on the nature of the matter, provided by residents.	SP	Members of the Public/Residents	Public task; Legal obligation	<ul style="list-style-type: none"> <li>• Any email, letter or other form of query received by the Parish Council which contains personal data will be stored on the Parish laptop and held by the Clerk in a secure place</li> <li>• The agreed privacy notice shall be provided to any person who contacts the Parish Council.</li> </ul>	In accordance with the agreed privacy notice, such data shall not be shared with any third party without the express permission of	Retained for a maximum of 2 years

What category	Nature/purpose of processing	Further details	Personal / Special Personal	Data Subjects	Lawful basis Why (purposes)	Where? (stored / processed)	Share externally? (Y/N & whom)	How long kept for?
							the data subject.	
Council website	Information relating to the parish is published on the website	Residents names an photographs	P	Members of the public	Legal obligation	On external server but the addition and removal of content controlled by Parish Council	Y – General public	2 years
Electoral Roll	Provide to Parish Clerk for election purposes and record of No of registered electors	Names, Address	P	Parishioners	Legal obligation	Electronically Retained by Clerk	N members of the public to be directed to Principal Authority for any electoral roll queries	
Contact with public in response to requests made at Parish Council meetings	Letter/email to residents asking them to perform actions (e.g. trim trees or hedges)	Names, address and possibly other personal data provided by Parish Councillors/residents	P	Residents/members of the public	Public interest; Legal obligation	<ul style="list-style-type: none"> <li>Copy retained on parish laptop (held by Parish Clerk in secure place)</li> </ul>	Y Local Authority	2 years

What category	Nature/purpose of processing	Further details	Personal / Special Personal	Data Subjects	Lawful basis Why (purposes)	Where? (stored / processed)	Share externally? (Y/N & whom)	How long kept for?
Minutes containing Council Public Forum	Matters raised by members of the public at Council meetings; minutes include a record of discussion as required by Local Government legislation	<ul style="list-style-type: none"> <li>Parish Clerk should avoid inclusion of personal data in agenda or minutes. Where personal data or potential identifiers cannot be avoided, these should be kept to a minimum.</li> <li>Members of the public who attend the public forum or the Annual Meeting should be informed by the Chair that the issue may be included in public minutes and should give their consent to this before the discussion (consent to be implied as Chair gives the members of the public the chance to withdraw from the meeting if they wish)</li> </ul>	P & SP	Residents/members of the public	Public interest; Legal obligation	<ul style="list-style-type: none"> <li>In paper form</li> <li>Electronically,</li> <li>Council website.</li> </ul>	Y On Parish Council web site	<ul style="list-style-type: none"> <li>Signed minutes retained in perpetuity</li> <li>All draft minutes, electronic copies and associated papers destroyed once minutes have been signed.</li> </ul>
Planning Applications	<ul style="list-style-type: none"> <li>Consultations and decisions published by the Planning Authority and shared with the Parish Council. Parish Clerk emails details of each application and decision to Councillors.</li> <li>Also published with agenda, minutes and website and discussed in open forum. Parish Council comments on</li> </ul>	Names, Address telephone no, email	P	Applicants, Agents, Surveyors	Legal obligation	<ul style="list-style-type: none"> <li>Parish Clerk to check all information before sharing with Parish Councillors, and ensure sensitive personal data is redacted wherever possible before sharing or publishing.</li> <li>Information in agenda and minutes to include only what is necessary to identify and discuss the application.</li> </ul>	Y On Parish Council website	Any correspondence between Parish Council and applicant to be in accordance with data protection principles and to be deleted within 2 years.

What category	Nature/purpose of processing	Further details	Personal / Special Personal	Data Subjects	Lawful basis Why (purposes)	Where? (stored / processed)	Share externally? (Y/N & whom)	How long kept for?
	application provided by planning Authority.							
Parish Council contract services	Correspondence with contractors/pubic to carry out contracting work and services required by the Parish Council	Names, contact details, qualifications, financial details, details of certificates and diplomas, education and skills; provided in contract applications etc.	P	Contractors/Tradespersons, surveyors, architects, builders, suppliers, advisers, payroll processors	Contractual requirement	<ul style="list-style-type: none"> <li>• Copy retained on parish laptop (held by Parish Clerk in secure place)</li> </ul>	N	For the life of the contract
Employment applications	Application forms and CV's for job vacancies	Applicants provide personal details which made contain sensitive material	SP	Applicants	Contractual requirement	<ul style="list-style-type: none"> <li>• Parish Clerk to keep paper applicants secure and collect any copies from Parish Councillors provided for interview.</li> </ul>	N	12 months and then destroyed.
Parish/Residents Surveys	To inform and gain views of residents	Residents names and contact details – from residents	P	Residents	Consent	<ul style="list-style-type: none"> <li>• Parish Clerk to retain in secure place and obtain consent form</li> </ul>	Not without the express permission of the data subject	Destroyed once project or survey is completed

What category	Nature/purpose of processing	Further details	Personal / Special Personal	Data Subjects	Lawful basis Why (purposes)	Where? (stored / processed)	Share externally? (Y/N & whom)	How long kept for?
Any other subject where personal data may be held	Personal data which comes under the control of the Parish Council which does not fit into any of the above categories	Names, addresses and other personal details which may contain sensitive material	SP	Various	Various	<ul style="list-style-type: none"> <li>Parish Clerk to process the data in accordance with the data protection principles, always ensuring that personal data is stored securely and not shared with any third party without express permission of the data subject</li> <li>Parish Clerk may need to present a report to the Parish Council to determine the way in which data should be controlled, taking advice from the DPO (when appointed) and, if necessary provide, a Personal Data Impact Assessment.</li> </ul>	Not without the express permission of the data subject	Subject to requirements of the Parish Council and on advice from the DPO

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