



## Data Protection Policy

One of the council's roles is to encourage community participation and involvement in Council business, planning committees being an obvious example. In doing so a reference to personal information can be involved, but the Council must be constantly aware of the need to minimise any negative impact on individuals. Also, councillors can have access to full electoral registers, the use of which is prescribed for electoral purposes only.

### 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, Rogate Parish Council has a number of procedures in place to ensure that it complies with The Data Protection Act 1998 when holding personal information.

Rogate Parish Council comply with the seven key principles of the Information Commissioner Office (ICO) outlined below:

- a) **Lawfulness, fairness and transparency** – we process data lawfully, fairly and in a transparent manner in relation to individuals.
- b) **Purpose limitation** – we collect data for explicit and legitimate reasons. Further processing only as in paragraph e.
- c) **Data minimisation** – ensure the personal data we are processing is adequate to sufficiently fulfil our stated purpose, that it has a rational link to that purpose and is limited to what is necessary for that purpose.
- d) **Accuracy** – make sure all steps are taken to ensure that information gathered is accurate and if that information changes to alter it in our records.
- e) **Storage limitation** - delete any information that is no longer relevant. Information can be kept if it is the public interest i.e. archiving, scientific or historical research, or statistical purposes.
- f) **Integrity and confidentiality** - ensure that we have appropriate security measures in place to protect the personal data we hold.
- g) **Accountability** principle – we must take responsibility for what we do with personal data and have appropriate measure and records in place to be able to demonstrate our compliance.

### Council meetings

Council staff and councillors will **not** use the name or address of members of the public during meetings unless there is a clear and articulated need to do so. The exception is staff of organisations or contractors involved in Council business.

Minutes of the Council, its committees and sub-committees will **not** record the names of members of the public who attend the relevant meetings unless there is a clear need to do so or the individual has requested it.

## Storing and accessing data

Rogate Parish Council recognises its responsibility to be open with people when taking personal details from them. This means that Councillors and Clerk must be honest about why they want a particular piece of personal information. If, for example, a member of the public gives their phone number to the Clerk or a member of Rogate Parish Council, this will only be used for the purpose it has been given and will not be disclosed to anyone else.

**Data is kept securely** - This means that only staff and Councillors can access the data. It should be stored securely so it cannot be accessed by members of the public.

Rogate Parish Council may hold personal information about individuals such as their addresses and telephone numbers. These will be kept in a secure location at the home of the Parish Clerk and are not available for public access. All data stored on the Parish computer is password protected. Once data is no longer required, if it is out of date or has served its use, it will be shredded or deleted from the computer. The Parish Council and individual Councillors are aware that people 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 currently being held about them
- There must, if necessary, be an explanation why it has been stored
- There must be made aware of who has seen it
- It must be sent within 40 days of being requested.

A fee to cover incurred photocopying and postage costs will be charged to the person requesting the personal information. This fee will be agreed by the Council and amended in line with inflation from time to time. Currently this fee must not exceed £20.

## Disclosure of personal information

If a Councillor needs to access personal information to help carry out their duties, this is acceptable. They are only able to access as much personal information as necessary and justified, and it should only be used for that specific purpose. If, for instance, someone has made a complaint about over hanging bushes in a garden, a Councillor may access an address and telephone number of the person who has made the complaint so they can help with the enquiry. However, before they access any sensitive personal information about a person, they would need consent to do this from the Parish Clerk. Data should never be used for political reasons unless the people who are the subjects of the data have consented

## Confidentiality

Rogate Parish Council councillors and staff must be aware that when complaints or queries are made, they must remain confidential unless the subject gives permission otherwise. When handling personal data, this must also remain confidential.

	Date	Minute ref
Adopted	8 May 2017	16)
Reviewed	11 March 2024	18a)