

WINDERMERE TOWN COUNCIL DATA PROTECTION POLICY

Adopted at Full Council:

Review Date:

Introduction:

1. Windermere Town Council recognises its responsibility to comply with the 2018 General Data Protection Regulation. The General Data Protection Regulation retains the existing legal principles of the 1998 Data Protection Act and adds some additional protections as to how personal data and sensitive personal data can be used.

The Data Protection Act:

2. The Data Protection Act 1998 set out high standards for the handling of personal information and protecting individuals' rights for privacy. It also regulated how information can be collected, handled and used. The Data Protection Act applies to anyone holding information about people electronically or on paper.

The General Data Protection Regulation:

3. The General Data Protection Regulation 2018 says that the information provided to people about how we process their personal data must be concise, transparent, intelligible and easily accessible, written in clear, plain language, and free of charge.

Principles:

4. As a local authority, Windermere Town Council has a number of procedures in place to ensure that it complies with the General Data Protection Regulation 2018 when holding personal information. Windermere Town Council has appointed the Town Clerk as the designated Data Protection Officer.
5. When dealing with personal data, Windermere Town Council staff and Councillors will ensure that:
 - **IT IS PROCESSED FAIRLY AND LAWFULLY** This means that information should only be collected from individuals if staff and Councillors have been open and honest about why they want the information.
 - **IT IS PROCESSED FOR THOSE SPECIFIED PURPOSES ONLY**
 - **IT IS RELEVANT TO WHAT IT IS NEEDED FOR** Only the data that is needed shall be retained.
 - **IT IS ACCURATE AND KEPT UP TO DATE** Personal data will be accurate.
 - **IT IS NOT KEPT LONGER THAN IT IS NEEDED** The Town Council has adopted an appropriate Document Retention Policy.
 - **IT IS PROCESSED IN ACCORDANCE WITH THE RIGHTS OF INDIVIDUALS** This means that individuals must be informed, upon request, of all the information held about them.
 - **IT IS KEPT SECURELY** Only staff and Councillors can access personal data and any data that is stored in hard copy or on computer is stored securely (locked receptacle and/or password control).

Collecting Data:

6. Windermere Town Council recognises its responsibility to be open with people when taking personal details from them. This means that staff will be honest about why they want a particular piece of information. If, for example, a member of the public gives their phone number to staff or a member of Windermere Town Council, this will only be used for the purpose it has been given and will not be disclosed to anyone else. Data may be collected via the Town Council's website via the 'Contact Us' form. The website contains a privacy statement about how the data will be stored and used.

Storing & Accessing Data:

7. Windermere Town Council may hold information about individuals such as their addresses and telephone numbers. These are kept in a secure location either in the Town Council office or at the Town Clerk's place of residence and are not available for the public to access. All data stored on a computer or smartphone is password protected. Once data is not needed anymore, if it is out of date or has served its use, it will be shredded, disposed of via a confidential waste company or deleted from the computer.
8. The Town Council is aware that people have the right to access any information that is held about them. If a person requests to see any data that is being held about them,
 - They will be sent all of the information that is being held about them
 - There will be explanation for why it has been stored and retained
 - There will be a list of who has seen the data
 - Requests that are manifestly unfounded or excessive may be refused or a charge made
 - If a request is refused, a reason will be given.
 - If an individual requests that their data is rectified or erased, this will be carried out.

Disclosure of Information:

9. If an elected member of the Council needs to access information to help carry out their duties, this is acceptable. They are only able to access as much information as necessary 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 information about a person, they would need consent to do this from the Town Clerk. Data should never be used for political reasons unless the data subjects have consented.

Confidentiality:

10. Windermere Council staff are aware that when complaints or queries are made, they must be remain confidential unless the subject gives permission otherwise. When handling personal data, this must also remain confidential.
11. If a data breach is identified the Information Commissioners Office must be informed within 72 hours and an investigation will be conducted.