

GENERAL DATA PROTECTION REGULATION (GDPR)

Based on EALC course and information from Information Commissioner's Office

- Comes into force 25th May 201
- A Data Protection Officer (DPO) must be appointed. This could be the clerk or could be sharing a person with other Parish Councils or with the District Council. If the clerk, this will have an impact on the clerk's hours and salary (suggestion of at least one extra salary point). The DPO must take proper responsibility for the data protection compliance and have the knowledge, support and authority to carry out the role effectively.
- Start by looking at the Parish Council's risk register.
- Organise an information audit – what personal data is held, where it came from and who it is shared with. Parish Councils must be able to show how they comply with the data protection principles – effective policies and procedures.
Data such as staff details, councillor records.
- Review current privacy notices – explain why the data is being processed, data retention periods and that individuals can complain to the ICO if they think the data is being handled inappropriately.
- Review procedures ie for deleting personal information – how would the data be located and deleted? Who makes decisions about deletion?
- Update procedures for handling requests for information (in most cases you will be able to charge and there is a month to comply with the request.
- You should identify the lawful basis for processing data, document it and update the privacy notice to explain this.
- Review how you seek, record and manage consent and whether any changes are needed. You cannot infer consent from silence.
- Have the right procedures in place to detect, report and investigate a personal data breach (certain types must be reported to the ICO).
- Councillors – do not copy the clerk into anything that you don't want to be made public (Think – would you put this on headed notepaper?)
- Assume that PC in-box is fully searchable
- Store data whilst it is of use – have a retention/disposal policy

Information which is affected:

Personal details – name, address, e-mail, telephone (clerk, councillors, anyone who contacts the Council by phone, e-mail, letter)

So there must be a deletion policy and time limit for each of these.

Financial details – invoices? But these are needed for the audit.

Any information about the Council's employee(s) – employment details, education and training, CV, references, annual appraisal, sickness etc

In the event of a survey ie about the Hall junction or sports field, or communications of any kind, a privacy notice (web site, notice board) that the Parish Council will not disclose any personal details to any third party and these will be deleted when the issue raised has been dealt with.

Exemption - Planning applications are covered by planning law and must be in the public domain.