



## **DATA PROTECTION POLICY**

The Council is registered under the Data Protection Act.

### **General Statement of the Council's Duties and Scope**

The Council is required to process relevant personal data regarding members of staff, volunteers, applicants and customers as part of its operations and shall take all reasonable steps to do so in accordance with this policy.

### **Data Protection Controller**

The Council has appointed the Town Clerk as the Data Protection Controller (DPC) who will endeavour to ensure that all personal data is processed in compliance with this Policy and the Principles of the Data Protection Act 1998. The Freedom of Information Act 2000 and the Protection of Freedoms Act 2012 are also relevant to parts of this policy. The Council recognises The General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679) adopted 27 April 2016, the two-year transition period and the application date of 25 May 2018 and is actively working towards compliance with that directive.

### **The Principles**

The Council shall so far as is reasonably practicable comply with the Data Protection Principles (the Principles) contained in the Data Protection Act to ensure all data is:-

- Fairly and lawfully processed
- Processed for a lawful purpose
  - Adequate, relevant and not excessive
- Accurate and up to date
- Not kept for longer than necessary
- Processed in accordance with the data subject's rights
- Secure
- Not transferred to other countries without adequate protection

### **Definitions**

- The Council is Goole Town Council.
- Parental consent, includes the consent of a guardian.
- Data Subject, an individual who is the subject of the personal data.

### **Personal Data**

Personal data covers both facts and opinions about an individual where that data identifies an individual. For example, it includes information necessary for employment such as the member of staff's name and address and details for payment of salary. Personal data may also include sensitive personal data as defined in the Act.

### **Processing of Personal Data**

Consent may be required for the processing of personal data unless processing is necessary for the performance of the contract of employment. Any information which falls under the definition of personal data and is not otherwise exempt, will remain confidential and will only be disclosed to third parties with appropriate consent.

The Council processes some personal data for marketing and fund-raising purposes, data subjects have the right to request an opt-out to these activities, which must be respected.

### **Sensitive Personal Data**

The Council may, from time to time, be required to process sensitive personal data. Sensitive personal data includes data relating to medical information, gender, religion, race, sexual orientation, trade union membership and criminal records and proceedings.

### **Rights of Access to Information**

Data subjects have the right of access to information held by the Council, subject to the provisions of the Data Protection Act 1998 and the Freedom of Information Act 2000. Any data subject wishing to access their personal data should put their request in writing to the DPC. The Council will endeavour to respond to any such written requests as soon as is reasonably practicable and in any event, within 40 days for access to records and 21 days to provide a reply to an access to information request. The information will be imparted to the data subject as soon as is reasonably possible after it has come to the Council's attention and in compliance with the relevant Acts.

### **Exemptions**

Certain data is exempted from the provisions of the Data Protection Act which includes the following:-

- National security and the prevention or detection of crime
- The assessment of any tax or duty
- Where the processing is necessary to exercise a right or obligation conferred or imposed by law upon the Council, including Safeguarding and prevention of terrorism and radicalisation.

### **Accuracy**

The Council will endeavour to ensure that all personal data held in relation to all data subjects is accurate. Data subjects must notify the data processor of any changes to information held about them. Data subjects have the right in some circumstances to request that inaccurate information about them is erased. This does not apply in all cases, for example, where records of mistakes or corrections are kept, or records which must be kept in the interests of all parties to which they apply.

### **Enforcement**

If an individual believes that the Council has not complied with this Policy or acted otherwise than in accordance with the Data Protection Act, the member of staff should utilise the Council's grievance procedure and should also notify the DPC.

### **Data Security**

The Council will take appropriate technical and organisational steps to ensure the security of personal data.

All staff will be made aware of this policy and their duties under the Act.

The Council and all its staff are required to respect the personal data and privacy of others and must ensure that appropriate protection and security measures are taken against unlawful or unauthorised processing of personal data, and against the accidental loss of, or damage to all personal data.

An appropriate level of data security must be deployed for the type of data and the data processing being performed. In most cases, personal data must be stored in appropriate systems and be encrypted if transported offsite.

### **External Processors**

The Council must ensure that data processed by external processors, for example, service providers, Cloud services including storage, websites etc. are compliant with this policy and the relevant legislation.

### **Secure Destruction**

When data held in accordance with this policy is destroyed, it must be destroyed securely in accordance with best practice at the time of destruction.

### **Retention of Data**

The Council may retain data for differing periods of time for different purposes as required by statute or best practices. Other statutory obligations, legal processes and enquiries may also necessitate the retention of certain data. The Council may store some data such as payroll, pensions etc. indefinitely in its archives.

### **CCTV**

The Council owns a CCTV network for the purposes of crime prevention and detection, and Safeguarding. The system is operated by Fisher Security. The Council also operates internal CCTV

systems at Junction and West Park café. Where a data subject can be identified, images must be processed as personal data.