

# GDPR/Data Protection policy

1 Skellingthorpe Parish Council need a DPP as they collect and process data from individuals and CCTV. As a corporate body we recognize our responsibility to comply with GDPR and the DPA 2018

2 Definitions

- Personal data is any information from which an individual may be identified.
- Data subject is any identifiable individual
- Processing is any operation performed on personal data

3 GDPR principles

- To conform to information law personal data will be Processed lawfully, fairly and in a transparent manner  
Collected for specified, explicit and legitimate purposes and not further processed in a manner incompatible with those purposes  
Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.  
Accurate and where necessary kept up to date, every reasonable step will be taken to ensure personal data that is inaccurate, having regard to the purpose of processing, are erased or rectified without delay  
Kept in a form that permits identification of data subjects for no longer than is necessary for the processing purpose of the data  
Processed in a way that the data remains secure, including protection against unlawful or unauthorised processing and accidental loss, destruction or damage, using appropriate measures

4 Data Protection Principles

All personal data must be:

- Processed in a manner which is lawful, fair and transparent
- Collected only for specific, explicit and limited purposes
- Adequate, relevant and not excessive
- Kept no longer than necessary
- Handled with appropriate security and confidentiality

5 Lawful Processing

Must meet one of the following criteria

- The data subject has given consent
- It is in our legitimate interest which does not override the rights and freedoms of the data subject
- It is necessary to meet a lawful obligation
- It is necessary to fulfil a contract or precontract agreement
- It is protecting someone's vital interests
- We are fulfilling a public task or are under official authority

Special category Data

Means

- Racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data, data about a person's sex life, sexual orientation and children's data  
Before any special category data is processed it must be ascertained that there is a legal basis for processing and a DPIA must be carried out

Where processing is based on consent the data subject must be easily able to withdraw their consent

6. Roles and responsibilities

Signed .....  ..... Parish Council Chair Date adopted .....  .....

10/01/23  
13/01/23

All staff must agree to train in their respective roles

The Parish Council has overall responsibility for ensuring compliance with the Data Protection Act. Each individual processing data also has responsibility to comply with the act.

All users must

- Complete relevant training to support compliance with this policy
- Take all necessary steps to ensure that no breaches of information security occur
- Report all suspected and actual breaches to the data controller so appropriate action is taken to minimize harm

#### 7. Data Breach Notification Procedures

- Every person in the Parish Council as well as employees should know exactly what to do in the event of a data breach
- Failure to observe the data protection principles within this policy may result in a person incurring criminal liability. For an employee this may result in disciplinary action up to and including dismissal where there are significant or deliberate breaches of this policy
- The Data Controller must be informed immediately of any actual or suspected breach
- If a breach of personal data poses a risk to the rights and freedoms of individuals or may result in serious harm to the individual the breach must be reported to the ICO within 72 hours of discovery by the data controller
- In the event of a high risk data breach the data subject concerned must be informed there has been a breach and its likely consequences and the mitigation measures taken

#### 8. Rights of Data Subjects

Under data protection laws the data subjects have certain rights

- To be informed the right to be told how their data will be used in clear and transparent language
- Have access. The right to know and have access to the personal data held about them
- Data portability. The right to receive their data in a common and machine-readable format
- To be forgotten. To have their personal data erased
- To rectification. The right to have their personal data corrected when it is inaccurate or incomplete
- To object. The right to complain and object to processing
- Purpose limitation. The right to limit the extent of their personal data processing
- The right not to be subject to decisions without human involvement

We will uphold the rights of an individual under data protection laws and allow them to exercise their rights over their personal data we hold. Most rights are not absolute, and the individual will be able to exercise them depending on the circumstances

Any request made in respect of these rights should be made to the Parish Council Office

There is no fee for acting on a request. Requests that are excessive or unfounded can be refused. We will ensure steps are taken to identify an individual where it is not obvious they are the data subject.

We will respond to any request within 30 days unless there are difficulties in identifying the individual or the request is complex and then we will respond within 90 days. The data controller will ensure that the above deadlines are met.

#### 9. Information Security

- All personal data will be held securely with appropriate organisational and technical measures in place, for information held either manually or electronically.
- We will have robust record management procedures as determined by the data controller
- Data will only be kept for as long as is absolutely necessary for its original purpose

Contact Information: for any further information on this policy please contact the Parish Office either by email; [parish.clerk@skellingthorpe.org.uk](mailto:parish.clerk@skellingthorpe.org.uk) or telephone 01522 683061

Signed  Parish Council Chair Date adopted 