



Boldre Parish Council

DATA PROTECTION POLICY

Introduction

The Data Protection Act 1998 came into effect on 1 March 2000. The Act regulates the use of personal data and gives effect in UK law to the European Directive on Data Protection.

The Act is concerned with "personal data", that is information about living, identifiable individuals. This need not be particularly sensitive information and can be as little as a name and address.

The Act gives individuals (data subjects) certain rights. It also requires those who record and use personal information (data controllers) to be open about their use of that information and to follow sound and proper practices (the Data Protection Principles).. The Information Commissioner is responsible for administering and enforcing the Data Protection Act

Council rules for holding routine data

1. Data will be obtained fairly and lawfully and may be held as computer or manual records.
2. Data will only be held for specific and lawful purposes and not processed in any matter incompatible with those purposes
3. Data will be relevant, adequate and not excessive for council purposes
4. Data will be accurate and kept up to date.
5. Data will not be kept for any longer than is necessary.
6. Data will be processed in accordance with the rights of data subjects under this Act where individuals must be informed, upon request, of all the information held about them. (They can prevent the processing of data for direct marketing purposes and are entitled to compensation if they have been caused damage by any contravention of the Act.)
7. Security precautions are in place to prevent the loss, destruction or unauthorised disclosure of the data – computer access is by password and manual records are kept in secure, locked metal filing cabinets. Direct access to general files is only permitted to the Parish Clerk and Chairman of Parish Council (or deputy). Planning information is kept securely by the Chairman of the planning working party. Other members of council can also make reasonable requests for access to relevant information.
8. Data will not be transferred outside the European Economic Area.
9. Council will pay the annual fee to the information commissioner and ensure that the record of entry is kept up to date.

Council rules for holding sensitive data

The Act defines eight categories of sensitive personal data. These are:

- a) the racial or ethnic origin of data subjects;
- b) their political opinions,
- c) their religious beliefs or other beliefs of a similar nature,
- d) whether they are a member of a trade union,
- e) their physical or mental health or condition,
- f) their sexual life,
- g) the commission or alleged commission by them of any offence, or
- h) any proceedings for any offence committed or alleged to have been committed by them, the disposal of such proceedings or the sentence of any court in such proceedings.

No information under these categories is recorded by this Council

Access requests and compensation

A written subject access request, will be dealt with promptly, and in any case within 40 days from the date of receipt. If further information is required, the 40 days will begin when this further information is received. A fee of up to £10 may be applied and the 40 days does not begin until this is received.

In response to a subject access request individuals are entitled to a copy of the information held about them, both on computer and as part of a relevant filing system. They also have the right to receive a description of why their information is processed, anyone it may be disclosed to, and any information available to you about the source of the data. .

It is important to note that individuals may seek **compensation** through the courts if they have suffered damage because of **any** contravention of the Act

Useful contacts:

Information Commissioner

Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF Telephone:01625 545

700 Facsimile: 01625 524510

e-mail: mail@dataprotection.gov.uk

Website: www.dataprotection.gov.uk