

General Data Protection Regulations (GDPR)

Turville Parish Council, just like Google and Facebook is a data controller – although to a much smaller extent obviously. This means that we keep information that could identify an individual. Examples of this could be any emails or letters received about potholes, signs or footpaths from parishioners. Members must take an informed view about what will be required under the GDPR. It is meant to be a positive step so that people have more control over their own data and how it is used, with the aim of the GDPR is to harmonise data protection law across the EU so that every country is doing the same, which does not currently happen. Fines of up to 10,000 Euros can be imposed for non-compliance, but I have been told this is aimed at bigger companies, not smaller parish councils.

Data can refer to personal data – address, name, email etc. Sensitive data could be health or criminal records – we obviously do not have these types of data. Data processing must be done lawfully, fairly and transparently. It is reasonable to collect some data – as long as there is a reason for it. It is reasonable to keep the email address of someone who has asked a question that needs answering, but not ask their sexual orientation or religious beliefs. I appreciate this sounds obvious, but some local authority forms ask for needless information – such as a date of birth to report a pothole.

Personal data can only be held for a specific purpose. Once there is no longer a reason to hold personal data, it is no longer needed and should be removed from everywhere it is held, be that computer or hard copy.

There is some old correspondence passed to me from Deirdre (the previous Clerk) which related to long ago events. Some of this will no longer be relevant, and if my house were to be burgled and these papers stolen then this is classed a data breach as personal data would be in the hands of someone who should not have access to it. I'd recommend a thorough cleanse of old files and correspondence that was passed to me, I did do some of this when I moved house, but there is more. Anything older than a certain date (to be agreed) should be shredded – which I would need to buy.

It is strongly suggested that Councillors have an email address that is only for parish council business, and Members should not be sharing an email account with a spouse or child. I have a password on my laptop now, and it is again strongly suggested that anything you access PC emails on is the same.

Individual names and email addresses will be excluded from emails going forward, unless there is a need for you to have them.

Individuals have the right to ask for a subject access request which is to find out what data is stored about them, what is done with this data and who has access to it. It is similar to a Freedom of Information request – I would need to respond within 20 days to any requests. It is no longer permitted to ask for any payment for this.

The parish council will need to appoint a Data Protection Officer – at the moment it is unclear as to whether this can be the Clerk, it is being discussed in Parliament 05/03/18. There is a possibility that it may need to be outsourced. Basic packages for this start from £150 per annum, and I'm sure smaller parish councils close together could "go in" on this. I attended a training session last week run by one such firm, and am due to attend another in April. At this training, suggested policies needed are:

- Data Protection Policy
- Training Policy
- Information Security Policy
- Data Privacy Impact Assessment procedure
- Retention of Records Procedure
- Subject Access Request Form and Procedure
- Privacy Procedure
- Complaints Procedure
- Privacy Notice

The Parish Council doesn't hold an awful lot of personal data, as there are no allotments, cemeteries and no other staff but me, but this is still something that will affect us and new policies will need to be introduced. It is still being debated in Parliament and has not yet been finalised. Once it has been, Clerks are hoping that both the Society of Local Council Clerks and Bucks Milton Keynes Association of Local Councils will be providing template policies, but this has not been definitively answered.

More information can be found here:

<https://ico.org.uk/for-organisations/resources-and-support/data-protection-self-assessment/getting-ready-for-the-gdpr/>