



# MORWENSTOW PARISH COUNCIL

## Data Protection Policy

The General Data Protection Regulation (GDPR) took effect in the UK from 25 May 2018. Along with the Data Protection Act 2018, it replaced the existing law on data protection (Data Protection Act 1998) giving individuals more rights and protection regarding how their personal information is used.

Morwenstow Parish Council (MPC) recognises its responsibility to comply with the regulations and has a number of procedures in place to ensure all information is dealt with in a confidential and appropriate manner.

MPC has delegated the day-to-day responsibility for ensuring compliance with the Data Protection legislation, to the Clerk. The Clerk will receive training when necessary.

Personal data collected by MPC must be:

- Processed fairly and lawfully and in a transparent manner
- Processed for specific purposes only and not for any other purpose
- Relevant and limited to what is necessary for the purpose it was collected
- Accurate and kept up to date
- Kept for no longer than is necessary
- Processed in a manner that ensures appropriate security and protection

**Consent** is a positive, active, unambiguous confirmation of a data subject's agreement to have their data processed for a particular purpose. Consent must be easy to withdraw and must be freely given, provided on an opt-in basis rather than opt-out.

**Data controller** - the person or organisation who determines the how and what of data processing.

**Data processor** - the person or firm that processes the data on behalf of the controller.

**Data subject** - the person about whom personal data is processed.

**Personal data** - information about a living individual which is capable of identifying that individual. E.g. a name, email addresses, photos.

**Privacy Notice** - a notice from a data controller to a data subject describing how personal data will be used and what rights the data subject has.

**Processing** - anything done with/to personal data (obtaining, recording, adapting, or holding/storing) personal data.

**Sensitive personal data** - also described in the GDPR as 'special categories of data' and includes the following types of personal data about a data subject: racial or ethnic origin; political opinions; religious beliefs; trade union membership; physical or mental health or condition; sexual life or orientation; genetic data; and biometric data.

# Collecting Data

MPC recognises its responsibility to be open with people when collecting personal details from them. The data will only be used for the purpose it was collected for. Personal data is not collected from the Council's website.

No data will be processed for children under 13 without express parental/guardian consent.

## Storing and Accessing Data

- MPC may hold information about individuals i.e. name, address, telephone number, e-mail address.
  - This information is held in a secure location.
  - All data stored on a computer is password protected.
  - Data will only be kept for the purpose it was collected for and only for as long as is necessary, after which time it will be deleted.
  - Personal information will not be shared or given to any other third party or be used for any purpose other than that for which it was provided.
  - MPC is aware that an individual has the right to request access to any information held about them
  - This can be done by contacting the Parish Clerk. If the individual believes the information held about them is incorrect, they should contact the Parish Clerk.

## Confidentiality

MPC staff and Councillors must be aware that when complaints or queries are made, they must remain confidential unless the subject gives their permission otherwise. When processing personal data, this must also remain confidential. If a data breach is identified the ICO must be informed and an investigation will be conducted.

If an individual has a complaint regarding the way their personal data has been processed, they may make a complaint to [clerk@morwenstowparish.gov.uk](mailto:clerk@morwenstowparish.gov.uk) or to the Information Commissioners Office [casework@ico.org.uk](mailto:casework@ico.org.uk) Tel: 0303 123 1113.

Adopted by MPC 17<sup>th</sup> February 2021. MPC will review this policy annually.

Previous Reviews: 16th February 2022 15th February 2023 17th January 2024 15th January 2025.