

PEASENHALL PARISH COUNCIL
GENERAL DATA PROTECTION REGULATION (GDPR)
DATA PROTECTION POLICY

Peasehall Parish Council recognises its responsibility to comply with the General Data Protection Regulation (GDPR) 2018 which regulates the use of personal data. This applies to all personal data, not solely to sensitive data, but does not include data concerning deceased persons.

GDPR (2018) has been incorporated into the Data Protection Act (2018) which strengthens the previous Data Protection Act (1998). It gives individuals more rights and protections and sets out the requirements for how all organisations handle personal data.

The GDPR applies to personal data which includes any information relating to an identifiable person who can be directly or indirectly identified. It requires personal data to be processed in a manner that ensures its security including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage.

The GDPR requires organisations to have a valid basis in order to process personal data. These are:

- Consent;
- Contract;
- Legal Obligation;
- Vital Interests;
- Public Task;
- Legitimate Interests.

Peasehall Parish Council will ensure that it uses the basis that is the most appropriate when processing such data.

Peasehall Parish Council will seek to ensure that:

- Data is processed fairly, lawfully and in a transparent manner
- Data is collected and processed for specific, explicit and legitimate purposes only
- Data is relevant to the requirement for which it is collected and processed
- Data is accurate and is not kept any longer than it is needed
- Data is processed in accordance with the rights of individuals
- Data is stored securely

The GDPR creates some new rights for individuals and strengthens some of the rights that exist under previous legislation. These are:

- The right to be informed
- The right of access

- The right to rectification
- The right to erasure
- The right to restrict processing
- The right to data portability
- The right to object
- Rights in relation to automated decision making and profiling

A key transparency requirement under GDPR is that individuals have the right to be informed about the collection and use of their personal data.

GDPR also introduces the 'Right of Access' for individuals and data subjects will have the right to request:

- The reasons why their data is being processed
- The description of the personal data concerning them
- Anyone who has received or will receive their personal data
- Details of the origin of their personal data if it was not collected directly from them

A Subject Action Request (SAR) is a request for personal information that Peasenhall Parish Council may hold about an individual. SARs must be submitted to the Parish Clerk in writing (hard copy or e-mail). A response will be made within 30 days and there will be no charge. The SAR response will include:

- How and to what purpose personal data is processed
- The period of time Peasenhall Parish Council intend to process it
- Anyone who has access to the personal data

Peasenhall Parish Council undertakes to treat the handling and processing of personal data and the handling and processing of any Subject Action Requests as confidential unless the subject of the data gives permission or requests otherwise.

Adopted by Full Council on 28th November 2018.