

# **Foxearth & Liston Parish Council**

## **Data Protection Policy**

Version 1.0 - 10 August 2011

This policy has been designed in order that the Council may meet its obligations under the Data Protection Act 2008 and in order to avoid the necessity for individual parish councillors to register under data protection legislation.

### **1 Receipt of Written Communication**

The Council is under an obligation to consider written communication it receives from any third party and undertake such action as it deems commensurate.

A written communication will be deemed to have been received by the Council and in consequence will therefore become subject to this policy where the said communication contains sufficient information to identify a person and :

- a) is in the form of an email where the email address domain of at least one recipient is "@foxearthandliston-pc.org".
- b) is in the form of an email where the recipient's email address is the private address of a councillor and/or which address includes the name of the Council and/or the salutation "Councillor" or any of its derivatives and/or where the content of the communication references or implicates the Council in any material or substantive way.
- c) is in the form of a hardcopy and is addressed to the Council and/or the clerk at the clerk's address.
- d) is in the form of a hardcopy and is addressed to a councillor at his/her private address and/or which address includes the name of the Council and/or the salutation "Councillor" or any of its derivatives and/or where the content of the communication references or implicates the Council in any material or substantive way.

### **2 Obligation to Forward Communications**

Councillors must forward all communications received by them that meets the criteria give in paragraph 1 items b) & d) to the clerk without undue delay and must destroy without delay all copies thereof both in hardcopy and electronic form except as allowed for in paragraph 5.

### **3 Confidentiality**

Councillors shall be bound by Standing Order 24 (Confidentiality) in respect of any communication received or held by them that meets the criteria above and which communication is subject to relevant data protection legislation and this policy.

#### **4 Custodian of Communications**

The Council is the sole custodian of all communications deemed to have been received by it. The Council has deployed and will continue to deploy an email and document management system that avoids the need for councillors and employees of the Council to hold communications and other information covered by this policy on their personal computers subject to paragraph 5.

#### **5 Access to Communications by Councillors**

A councillor may access and keep in his/her possession, communications and other information subject to this policy and held by the Council for the purpose of carrying out his/her duties as a councillor. Such arrangement is to be considered temporary and all qualifying material must be returned to the clerk as soon as it is no longer required to be held by the councillor. Furthermore, at this time the councillor must without delay, destroy/return to the clerk, all copies of any relevant communications and other information subject to this policy both in electronic and hardcopy form.

#### **6 Use of Personal Information held by the Council**

All information relating to any person held by the Council as provided for under Data Protection legislation shall be used exclusively for the benefit of constituents. The Council undertakes not to make any such information available to any third party other than for the sole purpose of pursuing its declared mandate of improving the well-being of its constituents. The Council will not, in any event, pass information to any third party which constitutes all or part of its database of contacts for financial gain or for any other purpose.