



GOSFIELD NEIGHBOURHOOD PLAN

COMMITTEE DATA PROTECTION POLICY

ADOPTED

1. Introduction

This policy has been compiled to act as a guidance note for the Gosfield Neighbourhood Plan Committee of the Parish Council, its members and officers. It represents the policy of the committee in respect of the use, protection and management of 'Personal Data'. The policy has been prepared to ensure consistency in the approach to Data Protection in line with the regulations set out for the use of personal data in the General Data Protection Regulations as part of the Data Protection Act 2018.

The Gosfield Neighbourhood Plan Committee regards the lawful and proper treatment of personal information as vital to service delivery, successful working and to maintaining the confidence of those with whom it deals. The Gosfield Neighbourhood Plan Committee holds personal data about a range of people including parish councillors and employees, volunteers, residents, contractors, suppliers, representatives of organisations and councils, job applicants and other stakeholders and individuals for a variety of purposes related to the Gosfield Neighbourhood Plan project.

2. Personal Data

Definition: any information, including opinions and intentions, which relates to an identified or identifiable natural living person. Identification can be by the personal data alone or in conjunction with any other personal data.

Examples of Personal Data collected may include:

- Names, titles and photographs
- Personnel details, e.g. staff start/leaving dates, education and work histories, academic and professional qualifications, pension references
- Contact/client/customer/resident details, e.g. telephone numbers, addresses, email addresses and electoral role numbers
- Where relevant to the Gosfield Neighbourhood Plan Committee or Parish Council's legal obligations or service delivery, demographic information, e.g. gender, age, marital status, nationality, family composition, and dependants
- Financial information and identifiers in the context of contracts, purchasing and service agreements, e.g. bank account numbers, payment and transaction identifiers, policy numbers, VAT numbers, claim numbers, National Insurance numbers, pay and pay records, tax codes, tax and benefits contributions, expenses claimed
- Other operational personal data created, obtained, or otherwise processed in the course of carrying out Council activities, including but not limited to, website visit histories, meeting attendees, logs of visitors, and logs of accidents, injuries and insurance claims
- Next of kin and emergency contact information
- Recruitment information including copies of right to work documentation, references and other information included in a CV or related documents



- Other staff data including level, performance management information, information relating to disciplinary or grievance proceedings and personal biographies

3. Data Control Arrangements

This policy sets out how the Gosfield Neighbourhood Plan Committee seeks to manage and protect personal data and to ensure that committee members and officers understand the rules governing the use of such information to which they have access in the course of managing, administering and delivering the work of the committee. In doing so, it covers the behaviours expected in relation to the collection, use, retention, transfer, disclosure and destruction of any personal data belonging to individuals.

The Gosfield Neighbourhood Plan Committee will take all necessary measures to ensure that the personal data it collects and processes is complete and accurate in the first instance and is updated subsequently to reflect the correct and current situation of any individual at any given time.

- i) The Gosfield Neighbourhood Plan Committee is required to understand the nature, scope, content and purpose of the processing activities and associated risks of data protection
- ii) The Gosfield Neighbourhood Plan Committee is required to be involved with decisions and activities which have data protection law implications
- iii) The Gosfield Neighbourhood Plan Committee must inform, advise and make recommendations in respect of data protection law compliance
- iv) The Gosfield Neighbourhood Plan Committee is required to monitor and audit their compliance with data protection law
- v) Committee members and officers must be aware of data protection law including any updates or changes
- vi) The Gosfield Neighbourhood Plan Committee must carry out privacy impact assessments when they are necessary
- vii) The Gosfield Neighbourhood Plan Committee may process personal data by relying on the 'legitimate interests' of one of its committee members, officers or third parties in addition to the following five existing conditions:
 - Consent
 - Contract
 - Legal Obligation
 - Vital interest
 - Public task
- viii) The Gosfield Neighbourhood Plan Committee will ensure that all data management will have adequate physical or electronic security
- ix) The Gosfield Neighbourhood Plan Committee shall be responsible for updating Gosfield Parish Council with any and all matters relating to Data Protection during the Neighbourhood Plan project
- x) The Gosfield Neighbourhood Plan Committee will appoint a 'Data Protection Officer' with the following responsibilities:
 - To carry out 6-monthly assessments of data held by all officers and members of the Gosfield Neighbourhood Plan Committee and report to the committee
 - To ensure that all officers and members of the Gosfield Neighbourhood Plan Committee understand their own responsibilities for Data Protection and provides training when necessary
 - To gather 'signed' Data Questionnaires from all officers and members of the Gosfield Neighbourhood Plan Committee to be carried out at least annually at the committee's AGM in June each year and stored appropriately (Data Questionnaire – Appendix 1)
 - To liaise with and report to the Gosfield Neighbourhood Plan Committee any and all matters relating to Data Protection during the Neighbourhood Plan project



- To report any data security breaches immediately to the Chair of the Gosfield Neighbourhood Plan Committee and the Clerk to Gosfield Parish Council
 - To ensure that all officers and members of the Gosfield Neighbourhood Plan Committee are made aware of any regulation changes regarding Data Protection
- xi) Secure physical storage will be made available in the Pavilion that will be locked. Access to the storage will be restricted to the Data Protection Officer and the Chair of the Gosfield Neighbourhood Plan Committee unless express written permission is given to another officer or member of the committee
- xii) Any and all volunteers that carry out any activity on behalf of the Gosfield Neighbourhood Plan Committee that include the gathering, use, retention, transfer, disclosure or destruction of any personal data belonging to individuals or businesses will be briefed and made aware of this policy and will sign and date to that affect

4. Personal Data and Information Audits

The Gosfield Neighbourhood Plan Committee must undertake an information audit which details:

- The type of personal data held
- Where it came from and how it was collected
- The purpose for holding that information
- With whom the Gosfield Neighbourhood Plan Committee has or will share that information

This will include all information held electronically or as a hard copy.

The Personal Data and Information Audit will be reviewed annually or when the Gosfield Neighbourhood Plan Committee undertakes a new activity.

5. The Rights of Individuals

All individuals (committee members, officers, members of the public, contractors etc.) have the following:

- The right to be informed
- The right of access
- The right of rectification
- The right to erasure (aka the right to be forgotten)
- The right to restrict processing
- The right to data portability
- The right to object
- The right not to be subject to automated decision-making including profiling

If a request is received to delete information, then the Gosfield Neighbourhood Plan Committee must respond to this request within one month. The request will be an agenda item at the next committee meeting following the receipt of the request. The request will be discussed in private without members of the public in attendance. The outcome of the request will be minuted.

6. Sharing Information

It is likely that the Gosfield Neighbourhood Plan Committee will need to share personal data with some or all of the following, but only where absolutely necessary:



- Gosfield Parish Council
- Gosfield Neighbourhood Plan Committee suppliers and contractors, e.g. where a commercial provider is asked to publish or distribute newsletters on behalf of the Parish Council, to maintain database software or host council information on a website
- Other local authorities or not-for-profit bodies with which the Gosfield Neighbourhood Plan Committee is engaged

The Gosfield Neighbourhood Plan Committee will only transfer personal data to, or allow access to third parties when it is assured that the information will be processed legitimately and protected appropriately by the recipient.

7. 'Sensitive' Personal Data

Under no circumstances, the Gosfield Neighbourhood Plan Committee will seek or hold 'Sensitive' personal data such as (unless it is anonymously given, e.g. for Census etc):

- Racial or ethnic origin
- Political opinions or views
- Religious beliefs or other beliefs of a similar nature
- Membership of a trade union
- Physical or mental health or conditions
- Genetic data
- Biometric data
- Sexual orientation

8. Data Security and Storage

The Gosfield Neighbourhood Plan Committee will adopt physical, technical, and organisational measures to provide for the security of personal data. This includes the prevention of loss or damage, unauthorised alteration, access or processing, and other risks to which it may be exposed by virtue of, in particular, human action or the physical, technical or natural environment. Measures will include the following:

- When data is stored on printed paper, it will be kept in a secure place where it can not be accessed by unauthorised personnel
- Printed personal data will, as necessary, be shredded when it is no longer needed
- Personal data stored on a computer will be protected by strong passwords that are changed regularly
- Personal data will not be stored on portable media, e.g. CDs or memory sticks
- Personal data will be regularly backed-up on external hard drives

Where other organisations process personal data in the context of services being delivered to or provided on behalf of the Gosfield Neighbourhood Plan Committee, additional specific data security arrangements will be established and implemented in contracts or agreements with those third party organisations.

9. Children

If the Gosfield Neighbourhood Plan Committee requires information from children under the age of 13 years, the committee must obtain a parent or guardians consent in order to process the personal data lawfully.

Consent forms for children over the age of 13 years must be written in language that can be understood.



10. Data Breaches

A breach of the General Data Protection Regulations could result in the Gosfield Neighbourhood Plan Committee and Gosfield Parish Council being fined by the Information Commissioners Office and to compensate the individual who was adversely affected.

Any breach in security, storage or sharing policy must be reported to the Chair of the Gosfield Neighbourhood Plan Committee and the Parish Clerk as soon as practicably possible.

Advice on conduction of any investigation will be sort immediately from the Essex Association of Local Councils.

11. Complaints

If there is a complaint regarding the way personal data had been acquired, used, stored, processed or shared, the Gosfield Neighbourhood Plan Committee through Gosfield Parish Council should in the first instance refer the complainant to the Information Commissioners Office: casework@ico.org.uk, telephone: 0303 123 1113

ACCEPTED & ADOPTED BY GNPC

Date: 3rd November 2020

Item Ref #: 31120.9



Appendix 1.

GNPC DATA PROTECTION QUESTIONNAIRE

Name:

Role on GNPC:

1. Have you had access to any of the following 'personal data' of any individuals in carrying out activity during the Gosfield Neighbourhood Plan Project? Please tick all appropriate boxes.

- Names of individuals
- An individual's contact information (e.g. telephone number, address, email address etc.)
- Photographs/videos
- Age, ethnicity, sexual orientation, religious beliefs, health conditions
- Biometric/Genetic data
- An individual's political opinions or views

2. How did you gain access to this data? Please tick all appropriate boxes.

- Freely given by an individual
- Given by an individual 'in confidence'
- Obtained from a publicly available source
- Obtained from another officer or member of the Gosfield Neighbourhood Plan Committee
- Obtained from somewhere or someone outside the Gosfield Neighbourhood Plan Committee
- Obtained from a source with the express permission of the individual

3. How have you collected data? Please tick all appropriate boxes.

- Directly/face-to-face/verbally
- By mail, telephone, email
- From external data sources (e.g. hard drives, flask disks, cd's etc.)
- From physical or virtual surveys
- From publicly available sources



4. How do you store data? Please tick all appropriate boxes.

- In writing (e.g. documents, folders, files, notebooks, address books etc.)
- In your email browser
- In databases
- In other 'shared' virtual 'spaces'
- Secure GNPC storage (e.g. locked cabinet in Pavilion etc.)

5. How is your computerised (including your telephone) information secured? Please tick all appropriate boxes.

- Password access to your devices
- Password access to your email browser
- Biometric access
- Pattern access
- PIN access

6. Are your passwords/biometric data/pattern codes & PINs secure? Please tick the appropriate box.

YES

NO

7. Is any 'physical' data secure? Do you have any of the following? Please tick all appropriate boxes.

- Secure accommodation (e.g. a locked residence etc.)
- Alarmed accommodation
- Lockable facilities (e.g. offices, filing cabinets, brief cases etc.)
- Lockable modes of transport if required

8. In destroying/deleting any personal data after it's use, which methods have you used? Please tick all appropriate boxes.

- Shredding
- Secure document destruction contractor
- Simple deletion
- Hard-drive/computer re-set
- Hardware destruction



9. Have you retained any 'personal data' after it has been used for the purposes of the project? Please tick the appropriate box.

YES

NO

If YES, please explain the details:

10. Are you aware of your own responsibilities in relation to Data Protection according to the GNPC Data Protection Policy? Please tick the appropriate box.

YES

NO

11. In the event of any data security breach, are you aware that you MUST inform the Data Protection Officer and the Chair of the GNPC? Please tick the appropriate box.

YES

NO

Sign:

Date: