

CUSOP PARISH COUNCIL –DATA PROTECTION POLICY – June 2018

This Policy summarises how Cusop Parish Council will handle personal data to comply with courtesy and common sense as well as the Data Protection Act 2018. It applies to the Council collectively and to all its councillors, officers, and voluntary post-holders.

A summary of the types of personal data currently processed by the Council and the relevant detailed policies is contained in the following table. Mostly 'processing' of data by the Council consists of holding them only. The table also indicates the normal retention policy for each type of data (in accordance with the Council's own Retention Schedule),

Before any new activity is undertaken by the Council it will establish whether it will generate any new types of personal data and if so how they should be treated. All the data will normally be held by the Clerk and some may also be held by councillors or volunteer postholders.

This Policy provides the necessary privacy information for members of the public whose personal data may be held by the Council. It will be available on the Council website for members of the public to download. Paper copies will also be available on request. Further specific actions where appropriate are noted below for each type of data.

The Council will review the Policy in the light of experience and evolving interpretation of the 2018 Act, especially as advised by the Information Commissioner's Office.

Schedule of Personal Data Controlled and/or Processed by the Parish Council

TYPE OF DATA	LAWFUL BASIS	POLICY
Correspondence to and from members of public (email and paper)	Public Task	<p>The Council will normally initiate correspondence with a member of the public only where necessary to exercise its public functions or powers. These extend to the discussion of any public matter of a parochial nature. Such correspondence, including any replies by the member of the public, will therefore be processed on the lawful basis of performing a Public Task.</p> <p>The Council assumes that a member of the public will normally initiate correspondence with the Council only on matters relating to the Council's functions or powers. Such correspondence, including any necessary replies by the Council, will therefore be processed on the lawful basis of performing a Public Task.</p> <p>Personal data in such correspondence includes the name and (email) address of the member of the public as well as its content. The Council will not pass correspondence to or from members of the public to third parties without consent, except that it may pass it to another public body if the content of the correspondence relates to the function or powers of that body.</p> <p><i>Retention: correspondence will normally be destroyed after six years</i></p> <p><i>Further actions: a 'contact details' on the Council website will include the above and a link to this Policy. Council emails and letters will also include the link plus note availability of paper copies.</i></p>

Complaints	Public Task	<p>Under the Council's complaints procedure members of the public may complain about how the Council has exercised its functions or powers. Correspondence and other documents relating to complaints will therefore be processed on the lawful basis on performing a Public Task.</p> <p><i>Retention: correspondence will normally be destroyed after six years</i></p>
Donations from and payments to members of the public	Public Task	<p>The Council rarely processes payments from or to members of the public other than contractors, but such payments will be in respect of the Council's exercise of its functions or powers. Payment information will therefore be processed on the lawful basis on performing a Public Task. Where a payment must be approved by Council resolution, it may also be recorded in the Council minutes and therefore made public (see below).</p> <p><i>Retention: data will normally be destroyed after six years apart from entries in the receipts and payment book which will be retained permanently and archived.</i></p>
Data relating to staff, councillors, volunteer post-holders and contractors	Public Task / Legal Obligation	<p>Staff, councillors, volunteer post-holders and contractors in various ways help in the exercise of the Council's functions or powers and the Council processes personal data about them only where necessary for these purposes on the lawful basis of performing a Public Task. Where an appointment or contract must be approved by Council resolution, it may also be recorded in the Council minutes and therefore made public (see below).</p> <p><i>Retention: data will normally be destroyed six years after the end of contract or employment apart from entries in the receipts and payment book which will be retained permanently and archived.</i></p>
Council minutes – public participation session	Self-Published / Legal Obligation	<p>The public participation session forms part of the Council meeting which is held in public. Therefore anything said at the session is in the public domain and (If lawful) may be summarised in the published minutes of the meeting. Names or other personal information will not be included unless speakers choose to reveal their own names or other personal information about themselves.</p> <p>Apart from this, names of members of the public attending Council meetings will not be recorded in the minutes unless they are councillors, staff, volunteer post-holders, or officers of other public authorities attending in those capacities.</p> <p>Published minutes are a Legal Obligation.</p> <p><i>Retention: minutes will be retained permanently and signed copies will be archived.</i></p> <p><i>Further actions: a note about public participation sessions will be included on agendas.</i></p>

Parish Meeting minutes	Self-Published / Legal Obligation	The names of parish electors attending Parish Meetings will be recorded in the minutes. The names of electors speaking and the content of their speeches (if lawful) may be summarised in the minutes. Personal information will not be included unless speakers choose to reveal personal information about themselves. Published minutes are a Legal Obligation. <i>Retention: minutes will be retained permanently and signed copies will be archived.</i> <i>Further actions: a note of the above will be included on agendas.</i>
Neighbourhood Plan public consultation responses	Legal Obligation	Neighbourhood Plan consultation responses were processed in accordance with statutory regulations. <i>Plan documents will be retained indefinitely and may be archived.</i>
Newsletter delivery rounds	N/A	No personal data: property addresses only.
Electoral register	N/A	Only processed in the sense that the register is stored on computer by the Council. Otherwise controlled and processed by Herefordshire Council and held by Parish Council on Herefordshire's terms and used for statutory purposes only.
Members's interests	N/A	Not processed by PC. Controlled and processed by Herefordshire Council.
Planning application public comments	N/A	Not processed by PC. Controlled and processed by Herefordshire Council.

For all the above categories members of the public have the right to be given copies of their own personal data (Right of Access) and to have it corrected where inaccurate (Right of Rectification). In the case of Public Tasks they also have to right to object to the Council continuing to hold their own personal data (Right to Object). The Council will consider all requests in accordance with ICO guidance.