

## 5. Data Protection Policy

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### 1. Introduction

Bishop Auckland Town Council recognises its responsibility to comply with the General Data Protection Regulation (GDPR) 2018 which replaces the existing law on data protection (the Data Protection Act 1998)

### 2. The General Data Protection Regulation (GDPR)

The GDPR will take effect in the UK from 25th May 2018 and gives individuals more rights and protection regarding how their personal data is used by councils. Local councils and parish meetings must comply with its requirements, just like any other organisation.

As a local authority, Bishop Auckland Town Council has a number of procedures in place to ensure that it complies with GDPR when holding personal information. The Town Council has also notified the Information Commissioner that it holds personal data about individuals.

When dealing with personal data, Bishop Auckland Town Council staff and Councillors must ensure that:

- **Data is processed fairly and lawfully**  
This means that personal information should only be collected from individuals if staff and Councillors have been open and honest about why they want the personal information.
- **Data is processed for specified purposes only**
- **Data is relevant to what it is needed for**  
Data will be monitored so that too much or too little is not kept; only data that is needed should be held.
- **Data is accurate and kept up to date**  
Personal data should be accurate, if it is not, it should be corrected.
- **Data is not kept longer than it is needed**  
Data no longer needed will be shredded or securely disposed of.
- **Data is processed in accordance with the rights of individuals**  
Individuals must be informed, upon request, of all the personal information held about them.
- **Data is kept securely**  
Only staff and Councillors can access the data. It cannot be accessed by members of the public.

### 3. Storing and Accessing Data

Bishop Auckland Town Council recognises its responsibility to be open with people when taking personal details from them. This means that Councillors and staff must be honest about why they want a particular piece of personal information. If, for example, a member of the public gives their phone number to staff or a member of Bishop Auckland Town Council, this will only be used for the purpose it has been given and will not be disclosed to anyone else without the person's permission.

Bishop Auckland Town Council may hold personal information about individuals such as their addresses and telephone numbers. These will be securely kept at the Town Council's office and are not available for public access. All data stored on the Town Council's computers are password protected. Once data is no longer needed, is out of date or has served its use and falls outside the minimum retention time of Council's document retention policy, it will be shredded or securely deleted from the computer.

The council is aware that people have the right to access any personal information that is held about them. If a person requests to see any data that is being held about them they must request this in writing to the Council as stated in the Subject Access Request Policy and Procedure document.

A reasonable fee may be charged for photocopying and postage expenses.

#### **4. Disclosure of Personal Information**

If an elected member of the Council, needs to access information to help carry out their duties, this is acceptable. They are only able to access as much information as necessary and it should only be used for that specific purpose. If, for instance, someone has made a complaint about overhanging bushes in a garden, a Councillor may access an address and telephone number of the person who has made the complaint so they can help with the enquiry. A Councillor may only do this providing they represent the area that the subject lives in. However, before they access any sensitive information about a person, they would need consent to do this from the Town Clerk. Data should never be used for political reasons unless the data subjects have consented.

#### **5. Confidentiality**

Bishop Auckland Town Council Councillors and staff must be aware that when complaints or queries are made, they must remain confidential unless the subject gives permission otherwise. When handling personal data, this must also remain confidential.

#### **6. Privacy Notices**

Bishop Auckland Town Council recognises its responsibility to issue appropriate Privacy Notices which describe how personal data will be used and what rights the data subject has (see Data Protection Policy no's 5.1 and 5.2). Notices can be found on the council website [www.bishopauckland-tc.gov.uk](http://www.bishopauckland-tc.gov.uk)