**East Cottingwith Parish Council: Data Protection Regulations 2018**

**1. Introduction**

All public authorities, however small, are required to implement these regulations, to take effect on 26th May 2018. East Cottingwith Parish Council approved this document at its meeting on 10th May 2018.

As Clerk I am the Data Control Officer. There are hundreds of documents giving advice, but in producing this document three free sources have mainly been used: Regulation (EU) 2016/679; guidance from the website of the Information Commissioner’s Office; and guidance produced by the head of the legal department of ERYC dated 24th April 2018.

**2. Operational Policy**

This Parish Council will only use personal data which is:

1. Obtained lawfully, fairly and transparently
2. For specific, explicit and legitimate purposes
3. Adequate, relevant and limited to what is necessary
4. Accurate and up to date
5. Kept no longer than necessary
6. Kept securely

**3. Lawful use of data**

The Parish Council will use personal data if:

1. The individual has consented
2. It is necessary to comply with the law
3. It is necessary to perform the Council’s public duties

**4. Privacy Notice**

This document is a privacy notice, for those on the current contact list and generally for everyone. It is published on the Council’s website.

Every individual has the following rights, and should contact me if they wish to exercise them:

1. To be informed of any personal data kept by the Council
2. To have access to it
3. To have it rectified if necessary
4. To have it erased
5. To restrict any processing of it
6. To object to any part of i

**5. Correct procedures**

A) The only personal data stored consists of names, and addresses and/or email addresses and/or telephone numbers and/or mobile telephone numbers of individuals who are freely in contact with the Council. No other data is stored. No data is otherwise processed. No data is sold on. Data will not be shared unless necessary to achieve a required outcome – eg with East Riding of Yorkshire Council.

B) Data will be kept, and where necessary published, to abide by legal requirements (eg the Freedom of Information Act); and the requirements of the Transparency Code (ie contact details for the Councillors and the Clerk, minutes and reports, and a considerable amount of financial information). Nothing else will be published unless an individual requests it (eg to advertise a local event or business).

C) All personal data is kept to a minimum, and has been subject to a complete audit in March 2018. A list of all online and paper files is readily available

D) All personal data is kept no longer than necessary: usually the current financial year and the three years preceding it.

E) Personal data kept online by me is stored in a safe, separate and secure system, with its own username, password, email address and contact list. All paper data is kept in a lockable, safe place. Councillors will ensure that any data kept by them, which will only be a subset of data kept by me, is similarly protected.

**6. Addendum: notification**

There is confusing and contradictory advice as to whether the Council needs to pay a registration fee to the Information Commissioner. It was not required to do so under the previous 1998 regulations. It is my opinion that it need not do so now, on the basis that one of the exemptions allowed is if the data is being used “for the core business only”.

The Council will therefore not refuse to pay, but will not pay unless instructed to do so. (Because we are a small organization, the fee would be £40 a year).

**Noel Joy**

**Data Control Officer**

**East Cottingwith Parish Council**

**11th May 2018**