



Data Protection Policy

Review Date: September 2020

The Council will take decisions and operate in an open and transparent way and will work closely with public, community and voluntary organisations. Wherever possible, information will be made available; this policy identifies reasons for which information may justifiably be withheld. Details of information which is routinely available is contained in the Council's Publication Scheme ([Appendix 2](#)) which is based on the statutory model publication scheme for local councils.

Tatenhill and Rangemore Parish Council recognises it must at times, keep and process sensitive and personal information about both employees and the public, it has therefore adopted this policy not only to meet its legal obligations but to ensure high standards.

The Parish Council will periodically review and revise this policy and its Privacy Notice ([Appendix 1](#)) in the light of experience, comments from parishioners and the public, and guidance from the Information Commissioners Office.

Responsibility for protecting personal data

The Parish Council as a corporate body has a responsibility for ensuring compliance with data protection legislation. The Council has delegated this responsibility day to day to the Parish Clerk.

Tatenhill & Rangemore Parish Council has decided not to appoint a formal Data Protection Officer on a voluntary basis. In reaching this conclusion the Council has considered the guidance issued by the Article 29 Working Party and considers that if it were a similar sized private business that it would not need to appoint a Data Protection Officer.

Information provided to us

The information provided (personal information such as name, address, email address, phone number) will be processed and stored so that it is possible for us to contact, respond to or conduct the transaction requested by the individual. By transacting with Tatenhill and Rangemore Parish Council, individuals are deemed to be giving consent for their personal data provided to be used and transferred for that purpose in accordance with this policy and our Privacy Notice. Written consent will be sought for processing of sensitive personal information. The personal information will be not shared or provided to any other third party or be used for any purpose other than that for which it was provided. We will not process any data relating to a child (under 13) without the express parental/ guardian consent of the child concerned.

The Councils Right to Process Information

The Parish Council has a right to process information where it is necessary to do so in order to carry out a task or function required to satisfy a duty it has as a **public authority**,

The Parish Council enters into contracts of employment and contracts for the supply of goods and services. There is a basis for processing an individual's personal information in relation to a **contract** with that person, including at the pre-contract stage.

Other than those related to its functions as a public authority or any contractual obligations, the Parish Council may also process personal information when it is necessary to do so to fulfil a **legal obligation**

It is uncommon for the Parish Council to rely on **consent** as the basis for processing personal information. When using this basis, the Parish Council will avoid making consent a pre-condition of providing a service. Consent will be reviewed regularly and any withdrawal of consent will be acted on promptly.

Though its ordinary functions make it unlikely, the Parish Council has the option to process information in order to protect an individual's **vital interests**.

As a public authority, the Parish Council is unlikely to process personal information on the basis that it is necessary to do so to protect a **legitimate interest**. However, this may be appropriate for tasks which are not part of the Council's functions as a public authority. For example, administration of the Henry Warford Trust

Information Security

The Parish Council will ensure the security of personal data. We make sure that your information is protected from unauthorised access, loss, manipulation, falsification, destruction or unauthorised disclosure. We will only keep your data for the purpose it was collected for and only for as long as is necessary. after which it will be deleted.

Breaches of security involve processing of data by an unauthorised third party, or by an authorised party in an unauthorised way, which may affect the confidentiality, integrity or availability of personal data. Any breach should be reported to the clerk as soon as possible. The clerk will assess the likelihood that a breach may put the rights of one or more data subjects at risk. To confirm the Council continues to follow best practice, there will be a regular agenda item about GDPR breaches or concerns.

Computer equipment shall be kept in a secure location. Portable equipment must be locked away when not in use. Access to computers will be subject to a password, which is periodically changed. Levels of encryption will be maintained according to risk. The Parish computer shall be backed up to an external hard drive on a monthly basis. The external hard drive will be kept in the possession of the Chairman of the Parish Council or such other Councillor as the Chairman deems appropriate.

All hardware, software, data and associated documentation produced in connection with the work of the Council, are the legal property of the Council. In order to secure information held by the Parish Council, an assessment will be done of risks from its use of IT in its Business Risk Assessment, including ensuring the physical security of all equipment. Also, the Council will make a detailed inventory of its ICT equipment on its Asset Register.

The creation or transmission of obscene, offensive, indecent or defamatory material will be considered misuse. As will other unreasonable uses which may corrupt or destroy data, disrupt others or violate privacy of other users. You should not download files, including application and games that are not connected with your work for Tatenhill Parish Council. Any sites which require registration or payment for services must not be accessed without due authority.

Email addresses should be treated as confidential and care taken that private email addresses are not wrongly circulated. Email to multiple addresses outside of Councillors and the Clerk should be sent as blind copy, (bcc).

Making Information Available

The Publication Scheme is a means by which the Council can make a significant amount of information available routinely, without waiting for someone to specifically request it. The scheme is intended to encourage local people to take an interest in the work of the Council and its role within the community.

In accordance with the provisions of the Freedom of Information Act 2000, this Scheme specifies the classes of information which the Council publishes or intends to publish. It is supplemented with an Information Guide which will give greater detail of what the Council will make available and hopefully make it easier for people to access it.

The Council has resolved to act in accordance with the Code of Recommended Practice for Local Authorities on Data Transparency (September 2011 – there is an updated code published in 2015. The Council is not required to follow this code, but it is expected to do so.). This sets out the key principles for local authorities in creating greater transparency through the publication of public data and is intended to help them meet obligations of the legislative framework concerning information.

Though it exceeds the turnover of a 'smaller authority', Tatenhill & Rangemore Parish Council will publish information in line with the Transparency Code for Smaller Authorities (2014), including all transactions above £100, draft minutes within two weeks of a Parish Council or Committee meeting, and agendas and associated papers no later than three clear days before a meeting.

The Parish Council will also publish information in line with the requirements of the annual audit, which will ensure compliance with the 2014 code in relation to ownership of land and buildings, the end of year accounts, an annual governance statement and the internal audit report.

Protocol for the use of the Tatenhill & Rangemore Parish Council's Website

The Parish Council website was developed and is hosted by an external provider. It will be further developed and made more interactive and have a recognisable design links with a range of partner organisations. The Council will regularly review the contents of the website to ensure that it continuously improves the range and quality of current and historical data available.

The Parish Clerk has been given editing rights for the Parish Council site. The Parish Clerk can add, delete and amend specified areas of information on the Parish Council site. The site will be updated at least weekly. It is important that the site remains fresh, relevant and current. Material on the Parish Council website must reflect the Parish Council's commitment to openness and objectivity.

Web Links

We will place important links on our website to make it as easy as possible for visitors to find out information about the Parish and its organisations. We will also approach other bodies for them to have links to our site. The website will include link to various outside bodies, including business that sponsor any Council event or facility and external organisations providing a public service.

Our website contains links to these other sites to provide information and for the convenience of the public. Tatenhill & Rangemore Parish Council does not control these sites and so cannot guarantee that the information is up to date or correct. Tatenhill & Rangemore Parish Council does not endorse any of the content of any businesses linked to the website nor any advertising linked to these websites.

Public Attendance at Meetings

All formal meetings of Council and its committees are subject to statutory notice being given on notice boards, the Website. The Council publishes an annual programme in May each year. All formal meetings are open to the public and press and reports to those meetings and relevant background papers are available for the public to see. The Council welcomes public participation and has a public participation session on each Council and committee meeting.

Occasionally, Council or committees may need to consider matters in private. Examples of this are matters involving personal details of staff, or a particular member of the public, or where details of commercial/contractual sensitivity are to be discussed. This will only happen after a formal resolution has been passed to exclude the press and public and reasons for the decision are stated. Minutes from all formal meetings, including the confidential parts are public documents.

The Openness of Local Government Bodies Regulations 2014 amend the Public Bodies (Admission to Meetings) Act 1960 to allow the public or press to film, photograph or make an audio recording of council and committee meetings normally open to the public. The Council will where possible facilitate such recording unless it is being disruptive. It will also take steps to ensure that children, the vulnerable and members of the public who object to being filmed are protected without undermining the broader purpose of the meeting. The Council will be pleased to make special arrangements on request for persons who do not have English as their first language or those with hearing or sight difficulties.

The 2014 Regulations also require written records to be made of certain decisions taken by officers under delegated powers. These are not routine operational and administrative decisions such as giving instructions to the workforce or paying an invoice approved by Council but would include urgent action taken after consultation with the Chairman, such as responding to a planning application in advance of Council. In other words, decisions which would have been made by Council or committee had the delegation not been in place.

Diversity Monitoring

Tatenhill and Rangemore Parish Council monitors the diversity of its employees, and councillors, in order to ensure that there is no inappropriate or unlawful discrimination in the way it conducts its activities. It undertakes similar data handling in respect of prospective employees. This data will always be treated as confidential. It will only be accessed by authorised individuals within the Council and will not be disclosed to any other bodies or individuals. Diversity information will never be used as selection criteria and will not be made available to others involved in the recruitment process.

The Council will always give guidance on personnel data to employees, councillors, partners and volunteers through a Privacy Notice (Appendix 1) and ensure that individuals on whom personal information are kept are aware of their rights and have easy access to that information on request.

The measures outlined in this policy will be taken to prevent unauthorised or unlawful processing of personal data or accidental loss or destruction of, or damage to, personal data. Personal data shall not be transferred to a country or territory outside the European Economic Areas, unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.



Tatenhill & Rangemore Parish Council

Privacy Notice

Data Controller

Tatenhill & Rangemore Parish Council

contact info: address: Needwoodside,
Tatenhill Common,
Burton-on-Trent
DE13 9RS

email clerk@tandrpc.org.uk

phone 01283 712847

Tatenhill & Rangemore Parish Council does not have a Data Protection Officer. The Parish Clerk has day-to-day responsibility for compliance with data protection legislation and may be contacted using the contact information above.

The Personal Data We Collect About You

Personal data is information about a living individual which allows them to be identified (including through combination with another dataset).

Data Collected	Reason for Collecting Data	Lawful Basis
Name, address, e-mail address, phone number	To communicate with parishioners or others as requested or in relation to subjects that may be of interest. To seek your views, opinions and comments. To notify you of changes to our services or staff.	Consent Public Task
Account numbers, transaction identifiers, Bank Account details	To manage the Parish Council's Accounts To carry out financial transactions	Public Task Contract
Name, address	Administration on behalf of the Henry Warford Trust	Legitimate Interest
Names, Invoice numbers, Account details	Retaining archives of past accounts	Legal Obligation Public Task
Address	To aid the Council's role as a consultee in planning matters	Public Task
Name, contact information, Account details, National Insurance Number, Special Category Data	To ensure the Parish Council may fulfil its contractual obligations. To fulfil the Parish Council's statutory obligations as an employer	Contract Legal Obligation Special Category Data – Legal Obligation only.

Data Retention

In line with the obligation to minimise storage of data, the Parish Council will ordinarily not retain contact information for longer than one month. The Parish Clerk will dispose of information whenever possible.

However, the Parish Council also considers its regulatory obligations, operational needs and possible need for evidence when managing information.

The Parish Council will keep information to maintain records of all financial transactions and may also retain information related to civil engagements or publicising the work of the Parish Council.

Your Rights

You have rights in relation to your personal data and at any time may;

Request access to your personal data. We will provide a copy of the data we hold.

Request correction of the personal data that we hold about you. (We may ask you to prove your identity)

Request erasure of your personal data. We will respond to confirm this has been done or to give reasons if it cannot be.

Object to processing of your personal data if you feel it impacts on your fundamental rights.

Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data under certain circumstances.

Request the transfer of your personal data to you or to a third party.

Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw consent.

If we are not able to respond to your request within one month, we will contact you to keep you updated.

Sharing Data

The Parish Council may need to share your personal data with other organisations so that they can carry out their responsibilities to the Council. Tatenhill & Rangemore Parish Council will not share all of the information it holds on you with these organisations only that which is necessary to carry out a contractual arrangement or legal obligation.

Other Data Controllers the Parish Council works with other local authorities, central government and governmental agencies, such as HMRC and DVLA. Also, local community organisations including (but not limited to) the Henry Warford Trust and Tatenhill & Rangemore Community Group.

Tatenhill & Rangemore Parish Council may also share information with staff pensions providers, former and prospective employers, DBS service suppliers and recruitment/HR agencies.

The Parish Council will not pass your personal data to third party processors outside of the European Economic Area.

Tatenhill & Rangemore Parish Council does not use automated decision making. The Parish Council does not use any cookies that can identify a person. We only use cookies that are vital to the operation of the website but they do not track any sensitive user data.

Information Commissioners Office
ico.org.uk/global/contact-us/email
or
Information Commissioners Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire
SK9 5AF



Tatenhill & Rangemore Parish Council hopes this Publication Scheme will help to develop a greater culture of transparency, awareness and understanding. It will be supplemented with an Information Guide which will give greater detail of what the Council will make available and hopefully make it easier for people to access it.

The purpose of the scheme is to be a means by which the Council can make a significant amount of information available routinely, without waiting for someone to specifically request it. The scheme is intended to encourage local people to take an interest in the work of the Council and its role within the community.

Publication Scheme

This model publication scheme has been prepared and approved by the Information Commissioner. It may be adopted without modification by any public authority without further approval and will be valid until further notice.

This publication scheme commits Tatenhill & Rangemore Parish Council to make information available to the public as part of its normal business activities. The information covered is included in the classes of information mentioned below, where this information is held by the authority. Additional assistance is provided to the definition of these classes in sector specific guidance manuals issued by the Information Commissioner.

The scheme commits Tatenhill & Rangemore Parish Council:

- To proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the authority and falls within the classifications below.
- To specify the information which is held by the authority and falls within the classifications below.
- To proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
- To produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public.
- To review and update on a regular basis the information the authority makes available under this scheme.
- To produce a schedule of any fees charged for access to information which is made proactively available.
- To make this publication scheme available to the public.
- To publish any dataset held by the authority that has been requested, and any updated versions it holds, unless the authority is satisfied that it is not appropriate to do so; to publish the dataset, where reasonably practicable, in an electronic form that is capable of re-use; and, if any information in the dataset is a relevant copyright work and the public authority is the only owner, to make the information available for re-use under the terms of the Re-use of Public Sector Information Regulations 2015, if they apply, and otherwise under the terms of the Freedom of Information Act section 19.
- The term 'dataset' is defined in section 11(5) of the Freedom of Information Act. The term 'relevant copyright work' is defined in section 19(8) of that Act.

Classes of information

Who we are and what we do

Organisational information, contacts, Constitution, Governance documents.

What we spend and how we spend it

Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.

What our priorities are and how we are doing

Strategy and performance information, plans, assessments, inspections and reviews.

How we make decisions

Policy proposals and decision. Decision making processes, internal criteria and procedures, consultations.

Our policies and procedures

Current written protocols for delivering our functions and responsibilities.

Lists and Registers

Information held in registers required by law and other lists and registers relating to the functions of the Parish Council.

The Services we Offer

Advice and guidance, booklets and leaflets, transactions and media releases. A description of services offered.

The classes of information will not generally include:

Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act, or is otherwise properly considered to be protected from disclosure.

Information in draft form.

Information that is no longer readily available as it is contained in files that have been placed in archive storage, or is difficult to access for similar reasons.

The method by which information published under this scheme will be made available

The authority will indicate clearly to the public what information is covered by this scheme and how it can be obtained.

Where it is within the capability of a public authority, information will be provided on the Parish Council website - www.tandrpc.org.uk - Where it is impracticable to make information available on a website or when an individual does not wish to access the information by the website, The Parish Council will indicate how information can be obtained by other means and provide it by those means.

In exceptional circumstances some information may be available only by viewing in person. Where this manner is specified, contact details will be provided. An appointment to view the information will be arranged within a reasonable timescale.

Information will be provided in the language in which it is held or in such other language that is legally required. Where the Parish Council is legally required to translate any information, it will do so.

Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

Charges which may be made for information published under this scheme

The purpose of this scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the public. Charges made by the Parish Council for routinely published material will be justified and transparent and kept to a minimum.

Material which is published and accessed on a website will be provided free of charge.

Charges may be made for information subject to a charging regime specified by Parliament.

Charges may be made for actual disbursements incurred such as:

- photocopying
- postage and packaging
- the costs directly incurred as a result of viewing information

Charges may also be made for information provided under this scheme where they are legally authorised, they are in all the circumstances, including the general principles of the right of access to information held by public authorities, justified and are in accordance with a published schedule or schedules of fees which is readily available to the public.

If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment may be requested prior to provision of the information.

Written Requests

Information held by a Tatenhill & Rangemore Parish Council that is not published under this scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Freedom of Information Act. Such requests should be sent to the Parish Clerk:

Michael Pettingale:
Needwoodside,
Tatenhill Common,
Burton-on-Trent
DE13 9RS
email: clerk@tandrpc.org.uk
phone: 01283 712847