Earl Stonham Parish Council
Data Protection and Information Security Policy

The Data Protection Act

The Data Protection Act 2018 sets out standards for the handling of personal information and protecting individuals' rights for privacy. It also regulates how personal information can be collected, handled and used. The Data Protection Act applies to anyone holding personal information about people electronically or on paper.

As a local authority, Earl Stonham Parish Council ("the Parish Council") has a number of procedures in place to ensure that it complies with The Data Protection Act 2018 when holding personal information. The Parish Council has also notified the Information Commissioner that it holds personal data about individuals. When dealing with personal data, the Parish Clerk and Councillors must ensure that:

1. **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.

2. **Data is processed for specified purposes only**
   It may not be processed for any purpose that is incompatible with that primary purpose.

3. **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.

4. **Data is accurate and kept up to date**
   Personal data should be accurate, if it is not it should be corrected.

5. **Data is not kept longer than it is needed**
   Data will not be kept longer than it is needed for its original purpose or anticipated needs

6. **Data is processed in accordance with the rights of individuals**
   This means that individuals must be informed, upon request, of all the personal information held about them.

7. **Data is kept securely**
   This means that only staff and Councillors can access the data. It should be stored securely so it cannot be accessed by members of the public.

Storing and accessing data

The Parish Council recognises its responsibility to be open and transparent with people when taking personal details from them. This means that Councillors and the Parish Clerk must be honest about why they want a particular piece of personal information.

The Parish Council may hold personal information about individuals such as their addresses and telephone numbers. These will be kept in a secure location at the home of the Parish Clerk and are not available for public access. All data stored on the Parish computer is

password protected. Once data is not needed anymore, if it is out of date or has served its use, it will be burned or deleted from the computer.

The Parish 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 be sent all of the personal information that is being held about them
• There must be explanation for why it has been stored
• There must be a list of who has seen it
• It must be sent within 40 days

A fee to cover photocopying and postage charges will be charged to the person requesting the personal information. This fee will be agreed by the Council and amended in line with inflation from time to time. Currently this fee must not exceed £10.

Disclosure of personal information

If a Councillor needs to access personal information to help carry out their duties, this is acceptable. They are only able to access as much personal information as necessary and it should only be used for that specific purpose. If, for instance, someone has made a complaint about over hanging 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. They can only do this providing they represent the area that the subject lives in. However, before they access any sensitive personal information about a person, they would need consent to do this from the Parish Clerk. Data should never be used for political reasons unless the data subjects have consented.

Handling Complaints

The Parish Council is registered as a data controller with the Information Commissioner's Office (ICO). The Council is committed to processing personal data fairly, lawfully, and transparently. Under Section 164A of the Data Protection Act 2018 (as amended by the Data (Use and Access) Act 2025), individuals have the statutory right to raise a data protection complaint directly with the Council.

This section sets out the formal internal procedure the Council follows when an individual submits a concern or complaint regarding how their personal data has been handled, security incidents, or responses to Subject Access Requests (DSARs).

Submitting a Data Protection Complaint

Individuals can raise a data protection complaint by contacting the Parish Clerk (or Chair of the Parish Council if the complaint concerns the Clerk) in writing via email or post.

1. Our Commitment and Timeframes

Upon receipt of a data protection complaint, the Council will adhere to the following statutory steps:

2. Acknowledgement: We will formally acknowledge receipt of your complaint in writing within 30 days of the date of receipt.

3. Investigation: The Clerk (or an independent investigator appointed by the Parish Council if the Clerk is subject to the complaint) will investigate the matter thoroughly and without undue delay.

4. Progress Updates: We will keep the complainant reasonably informed of the progress of the investigation if the review is complex or requires extensive enquiry.

5. Outcome: We will provide a formal written response communicating the final outcome of the investigation and any remedial actions taken without undue delay.

6. Escalation to the ICO

While individuals are legally expected to attempt resolution directly with the Parish Council using this complaints procedure before escalating to the regulator, if you remain dissatisfied with the Parish Council's final outcome, you retain the right to lodge a complaint with the Information Commissioner's Office (ICO) at:

Website: ico.org.uk/make-a-complaint

Helpline: 0303 123 1113