

East Budleigh with Bicton Parish Council

Data Protection Code of Practice

Updated April 2020

East Budleigh with Bicton Parish Council (EBBPC) is fully committed to comply with the Data Protection Act 2018 (DPA 2018), and the General Data Protection Regulation (GDPR) as it applies in the UK. A full description of the expected compliance is available on the Information Commissioners Office website via the following link: <https://ico.org.uk/for-organisations/guide-to-data-protection/>

- Data protection is about ensuring people can trust EBBPC to use their data fairly and responsibly.
- The UK data protection regime is set out in the DPA 2018, along with the GDPR (which also forms part of UK law). It takes a flexible, risk-based approach which puts the onus on EBBPC to think about and justify how and why it uses data. What is data protection?

Data protection is the fair and proper use of information about people. It's part of the fundamental right to privacy – but on a more practical level, it's really about building trust between people and organisations. It's about treating people fairly and openly, recognising their right to have control over their own identity and their interactions with others, and striking a balance with the wider interests of society.

Further information concerning privacy and data protection may be found on the EBBPC website via the following link:

http://www.eastbudleigh.org.uk/uploads/5/1/8/3/51830611/2018_05_10_ebbpc_nalc_privacy_notice_for_public.pdf

What is 'personal data'?

In short, personal data means information about a particular living individual. This might be anyone, including a customer, client, employee, partner, member, supporter, business contact, public official or member of the public.

It doesn't need to be 'private' information – even information which is public knowledge or is about someone's professional life can be personal data. It doesn't cover truly anonymous information – but if you could still identify someone from the details, or by combining it with other information, it will still count as personal data.

It only includes paper records if you plan to put them on a computer (or other digital device) or file them in an organised way. For EBBPC, being a public authority, all paper records are technically included – but it will be exempt from most of the usual data protection rules for unfiled papers and notes.

Your right to be informed if your personal data is being used

EBBPC must inform you if it is using your personal data. Further information is available on the ICO website via the link:

<http://ico.org.uk/your-data-matters/your-right-to-be-informed-if-your-personal-data-is-being-used/>

Your right of access

You have the right to find out if an organisation is using or storing your personal data. This is called the right of access. You exercise this right by asking for a copy of the data, which is commonly known as making a 'subject access request'.

You can make a subject access request verbally or in writing. If you make your request verbally, we recommend you follow it up in writing to provide a clear trail of correspondence. It will also provide clear evidence of your actions.

- Details of where to send the request are given below □ Consider what personal data you want to access. □ State clearly what you want.

You might not want all the personal data that the Council holds about you. It may respond more quickly if you explain this and identify the specific data you want.

When making a subject access request, include the following information:

- Your name and contact details.
- Any information used by the organisation to identify or distinguish you from other people with the same name (account numbers etc).
- Any details or relevant dates that will help it identify what you want.

EBBPC should respond to a subject access request as soon as possible but within one month. Complex requests could take up to 3 months.

Other Rights

You have various other rights under the DPA 2018:

- Your right to get your data corrected
You can challenge the accuracy of personal data held about you by an organisation.
- Your right to get your data deleted
You can ask an organisation to delete personal data that it holds about you.
- Your right to limit how organisations use your data
You can limit the way an organisation uses your personal data.
- Your right to data portability
You have the right to get your personal data from an organisation in a way that is accessible.
- The right to object to the use of your data
You have the right to object to the processing or use of your personal data in some circumstances.
- Your rights relating to decisions being made about you without human involvement
Decisions are made about you when your personal data is processed automatically.
- Your right to raise a concern
Tell an organisation if you're concerned about how they are using your data.

These are more fully described on the ICO website via the link: <https://ico.org.uk/your-data-matters/>

Contact

Subject access requests should be forwarded to the Parish Clerk

Email: clerk@eastbudleigh-pc.gov.uk
Tel. 01395 489155

Text extracts attributable to: Information Commissioner's Office, [Guide to Data Protection Jan 2019] and [Introduction to Data Protection – Some basic concepts Jan 2019] and [Your Right of access Jan 2019], licensed under the [Open Government Licence](#).