

# RAGLAN COMMUNITY COUNCIL

## Data Protection Policy

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Approved	Brian Willott (Chair of Raglan Community Council)
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# Raglan Community Council

## Data Protection Policy

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# Raglan Community Council Data Protection Policy

## Change History

Adoption Date	Reason for Change	Changes
22NOV17	Completely revised version of the RCC Data Protection Policy	1. Amalgamation of various individual documents into a single policy
27JUN18	Revised version in light of GDPR legislation becoming law	1. New Appendix B included 2. Reference to Data Protection action replaced by reference to 'relevant data protection legislation'

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## Data Protection Policy

### 1 Introduction

Raglan Community Council needs to collect and use certain types of information about the Data Subjects who come into contact with it in order to carry on our work. This personal information must be collected and dealt with appropriately whether on paper, in a computer, or recorded on other material and there are safeguards to ensure this under the General Data Protection Regulations (GDPR).

#### 1.1 Definition of Technical Terms

The following technical terms have used throughout this policy, and are listed below to aid understanding of this policy.

Technical Term	Definition
Consent	Consent which is freely given, specific and informed agreement by a Data Subject to the Processing of Personal Information about her/him. Explicit consent is also needed for Processing Sensitive Data.
Data Breach/incident	An incident where personal information is lost, corrupted, or accessed by an unauthorised party.
Data Controller	The person who, either alone or with others, decides what Personal Information that Raglan Community Council will hold and how it will be held or used.
Data Processor	All our employees, councillors, and those who process data on our behalf are data processors. They are personally responsible for handling information in line with the DPA and with our policies and procedures.
Data Protection Act 1998	The UK legislation that provides a framework for responsible behaviour by those using Personal Information.
Data Protection Officer	The person, or persons, responsible for ensuring that Raglan Community Council follows its Data Protection Policy and complies with the Data Protection Act 1998.
Data Subject / Service User	The individual whose Personal Information is being held or Processed by Raglan Community Council (for example: a client, an employee, a supporter)
Information Commissioners Office	The UK Information Commissioner responsible for implementing and overseeing the Data Protection Bill 1998, Freedom of Information Act, GDPR and the Environmental Information Regulations 2004.
Near miss	An event where personal information could have been lost, corrupted, or accessed by an unauthorised party but was not.

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Processing	The collecting, amending, handling, storing or disclosing of Personal Information.
Personal Information	Information about living individuals that enables them to be identified – e.g. name and address. It does not apply to information about organisations, companies and agencies but applies to named persons, such as individual volunteers or employees within Raglan Community Council.
Sensitive data	Sensitive refers to personal information about someone’s racial or ethnic origin; political opinions; religious beliefs or other beliefs of a similar nature; membership of a trade union; physical or mental health or condition; sexual life; commission or alleged commission of any offence; or proceedings for any offence committed or alleged to have been committed by him/her, the disposal of such proceedings or the sentence of any court in such proceedings. An individual may consider certain information about them to be particularly private and may request other data items to be kept confidential e.g. any use of a pseudonym where the true identity needs to be withheld to protect them.
Subject Area Request	A request for personal information, under the DPA.

## 2 Data Protection Policy

Raglan Community Council does not capture or store any personal information about individuals who browse this website, except where you voluntarily choose to give us your personal details via email or an online form to enquire or apply for any of our services.

Where you do choose to provide personal details so that we may deliver a service such as Allotments, then the GDPR Consent Form (Appendix B) should be completed and returned at the same time.

The Council will endeavour to safeguard your information and any disclosures of that information will be in accordance with the relevant data protection legislation. Third party service providers contracted to the Council will be required to conform to the same standards.

The Council is committed to abiding by the relevant data protection legislation, as well as peoples’ rights to confidentiality and respect for privacy. We treat your private information with respect. It is kept secure, and only those staff and councillors who are entitled to see it, have access to it. We will do our best to

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keep information about you accurate and up to date. When we no longer have a need to keep information about you, we will dispose of it in a secure manner.

### **2.1 Data Controller**

Raglan Community Council is the Data Controller under the legislation, which means that it determines what purposes personal information held will be used for. It is also responsible for notifying the Information Commissioner of the data it holds or is likely to hold, and the general purposes that this data will be used for.

### **2.2 Data Protection And Managing Personal Information**

We are committed to complying with the eight data protection principles. These principles require that personal information is handled as follows:

- Principle 1. It shall be processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met.
- Principle 2. It shall be obtained only for one or more specified and lawful purpose, and shall not be further processed in any manner incompatible with that purpose or those purposes.
- Principle 3. It shall be adequate, relevant and not excessive in relation to the purpose or purposes for which it is processed.
- Principle 4. It shall be accurate, and where relevant, kept up to date.
- Principle 5. It shall not be kept longer than necessary for that purpose or those purposes.
- Principle 6. It shall be processed in accordance with the rights of the data subjects under the legislation.
- Principle 7. Appropriate technical and organisational measures shall be taken against unauthorised loss or destruction of, or damage to, personal data.
- Principle 8. It shall not be transferred to a country or territory outside the European Economic Area 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.

Raglan Community Council will, through appropriate management, strict application of criteria and controls:

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- Observe fully conditions regarding the fair collection and use of information,
- Meet its legal obligations to specify the purposes for which information is used,
- Collect and process appropriate information, and only to the extent that it is needed to fulfil its operational needs or to comply with any legal requirements,
- Ensure the quality of information used,
- Ensure that the rights of people about whom information is held, can be fully exercised under the legislation. These include:
  - The right to be informed that processing is being undertaken,
  - The right of access to one's personal information
  - The right to prevent processing in certain circumstances and
  - The right to correct, rectify, block or erase information which is regarded as wrong information.
- Take appropriate technical and organisational security measures to safeguard personal information,
- Ensure that personal information is not transferred outside of the EEA without suitable safeguards,
- Treat people justly and fairly whatever their age, religion, disability, marriage or civil partnership, pregnancy or maternity, gender, sexual orientation, gender identity or ethnicity when dealing with requests for information,
- Set out clear procedures for responding to requests for information.

### 2.3 Data collection

Consent is when a Data Subject clearly understands why their information is needed, who it will be shared with, the possible consequences of them agreeing or refusing the proposed use of the data and then gives their consent.

Raglan Community Council will ensure that data is collected within the boundaries defined in this policy. This applies to data that is collected in person, or by completing a form. When collecting data, Raglan Community Council will ensure that the Data Subject:

- Clearly understands why the information is needed
- Understands what it will be used for and what the consequences are should the Data Subject decide not to give consent to processing
- As far as reasonably possible, grants explicit consent, either written or verbal for data to be processed. The GDPR Consent Form (Appendix B) shall be used for this purpose.

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- Is, as far as reasonably practicable, competent enough to give consent and has given so freely without any duress
- Has received sufficient information on why their data is needed and how it will be used

### **2.4 Data Storage**

Information and records relating to service users will be stored securely and will only be accessible to authorised staff and volunteers.

Information will be stored for only as long as it is stated in the retention schedule or required statute and will be disposed of securely and recorded in the destruction log.

It is Raglan Community Council's responsibility to ensure all computer/electronic devices will be fully wiped (of personal and confidential data) when decommissioned

### **2.5 Data access and accuracy**

All Data Subjects have the right to access the information Raglan Community Council holds about them. Raglan Community Council will also take reasonable steps ensure that this information is kept up to date by asking data subjects whether there have been any changes.

In addition, Raglan Community Council will ensure that:

- It has a Data Protection Officer with specific responsibility for ensuring compliance with the relevant data protection legislation
- Everyone processing personal information understands that they are contractually responsible for following good data protection practice
- Everyone processing personal information is appropriately trained to do so
- Everyone processing personal information is appropriately supervised
- Anybody wanting to make enquiries about handling personal information knows what to do
- It deals promptly and courteously with any enquiries about handling personal information
- It describes clearly how it handles personal information
- It will regularly review and audit the ways it hold, manage and use personal information
- It regularly assesses and evaluates its methods and performance in relation to handling personal information
- All staff are aware that a breach of the rules and procedures identified in this policy may lead to disciplinary action being taken against them.



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### 2.6 Data Breaches and Near Misses

All employees, members and those working on our behalf are expected to immediately report actual, suspected or potential breaches of information security. On discovery of the incident to the person who has discovered the incident will report it to the clerk who will report it to the RCC Chair.

The clerk will ensure that the following stages of breach management are completed in a timely manner:

- a) Containment and recovery;
- b) Assessment of on-going risk;
- c) Notification of breach;
- d) Evaluation and response.

The Clerk will record all actions taken and lessons learnt from the incident or near miss and will ensure these are periodically distributed within the organisation for continued learning and awareness.

### 2.7 Privacy notices

We will ensure that data subjects are given a Privacy Notice at the time of collection and seek explicit consent for handling their data

### 2.8 Information Security

We are committed to protecting all personal information, including in collection, storage and transfer. Access to personal information will be restricted to those who need to access it and have the right to access it. Personal information must not be disclosed either orally or in writing, whether accidentally or not, to any unauthorised third party without the data subject's consent without prior authorisation from the DPO.

- Physical
  - All private and sensitive information to be kept under lock and key
  - All archived information to be stored in a clean dry environment to prevent degradation
- Electronic
  - Limit access to Private and Sensitive data
  - Reduce risk to cyber attack
    - All software kept up to date
    - Use of approved anti-virus and firewall software
    - Regular sweeps for virus, malware and adware
    - Weekly backups
    - Monthly backups stored at alternate location
    - Use of Cloud products to ensure business continuity

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This policy will be updated as necessary to reflect best practice in data management, security and control and to ensure compliance with any changes or amendments made to the relevant data protection legislation.

In case of any queries or questions in relation to this policy please contact the Raglan Community Council Data Protection Officer: Adrian Edwards Clerk to the Council email: [Clerk@raglancc.org.uk](mailto:Clerk@raglancc.org.uk)

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## Appendix A Data Asset Register

<b>Personal Information</b>	<b>Reason for Retention</b>
Personal details of all employees	Employment Purposes
Personal details of all current and past Councillors	Efficient functioning of the Council and statutory obligation
Personal details of all current Allotment Tenants	Efficient functioning of the Council and statutory obligation
Personal details provided in any complaints	Efficient functioning of the Council

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## Appendix B GDPR Consent Form

Your privacy is important to us and we would like to communicate with you about the council and its activities. To do so under the GDPR we need your consent. With the introduction of the General Data Protection Regulation GDPR introduced on 25th May 2018, Raglan Community Council would ask if you could complete the following information.

You can grant consent to any or all of the purposes listed. You can find out more about how we use your data from our Data Protection Policy which is available from our website ([www.raglancc.org.uk](http://www.raglancc.org.uk)) or from the RCC Clerk.

You can withdraw or change your consent at any time by contacting the RCC Clerk. Your consent is required so that RCC may:

- Contact you to keep you informed about allotments
- Contact you to keep you informed about what is going on in the council's area or other local authority areas including news, events, meetings, clubs, groups and activities. These communications may also sometimes appear on our website, or in printed or electronic form (including social media).
- Contact you about groups and activities you may be interested in participating in.
- Use your name and photo in our newsletters, bulletins or on our website, or our social media accounts.

**Please indicate your preferred communications medium:**

- Yes, I would like to receive communications by email
- Yes, I would like to receive communications by telephone
- Yes, I would like to receive communications by mobile phone (incl. text message)
- Yes, I would like to receive communications by post

Print Name:

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Date:

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Signed:

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