



# COGGESHALL PARISH COUNCIL

## Data Protection Policy

Coggeshall Parish Council is committed to full compliance with the Data Protection Act. It will follow procedures designed to provide that all elected members, employees, contractors, consultants, partners, or other servants or agents of the Organisation (collectively referred to as "the data users") who have access to any personal data held by or on behalf of the Organisation are fully aware of and abide by their duties and responsibilities under the Act.

1. The Organisation has nominated the Clerk to be responsible for co-ordinating all data protection issues, for ensuring that notification to the Information Commissioner is kept up-to-date, for the receipt of subject access requests and the co-ordination of and compliance with the requirements of the Act when such requests are received.
2. No personal data will be obtained, held or processed, for any purpose, without that purpose being notified to the Commissioner as required by the Act.
3. All data will be processed fairly and lawfully, unless such processing falls to be exempt under section 29 of the Act (crime and taxation). In particular, form and document design will be kept under review, to ensure compliance with the data protection principles under the Act.
4. All processing of personal data by the Organisation will be subjected to a risk assessment, taking into account:
  - a. The likelihood of a breach of the data protection system.
  - b. The potential impact on the data subject, elected members, managers or staff.
  - c. The level of controls in place with regard to the data together with the setting and testing of clear controls to minimise breaches of the Act.
5. No disclosure of data is to be undertaken by any data user which breaches any of the provisions of the Act, as interpreted by the Organisation, the Commissioner or the courts for the time being.
6. All elected members are to be data users and as such will not be required to register as data processors in their own right, but will be part of the Councils registration.
7. All data users are to be fully trained in and aware of this policy and their duties and responsibilities under the Act.
8. The Organisation regards any unlawful breach of any provision of the Act by any employee as being a disciplinary matter. Any employee(s) who breach this policy will be dealt with under the disciplinary procedure which may result in dismissal for gross misconduct.

9. The Council will maintain a Data Protection Policy which will be available for public inspection.
10. The Organisation will undertake an annual review of all data protection systems and controls to ensure compliance with the Act, this policy and individual service data protection policies and codes of practice, including data security.
11. All contractors, consultants, partners, or other servants or agents of the Council must:
  - a. Ensure that they and all of their staff who have access to personal data held or processed for or on behalf of the Organisation are aware of this policy and are fully trained in and are aware of their duties and responsibilities under the Act. Any breach of any provision of the Act will be deemed as being a breach of any contract between the Organisation and that individual, company, partner or firm.
  - b. Promptly, pass any subject access requests relating to the Council's business to the Data Protection Officer for the time being and provide that person with any information needed by them to comply with the subject access request.
  - c. Allow data protection audits by the Organisation of data held on its behalf.
  - d. Indemnify the Organisation against any prosecutions, claims, proceedings, actions or payments of compensation or damages, without limitation.
12. In this policy document, the term "processing" means:
  - a. Obtaining, recording or holding the information or data or carrying out any operation or set of operations on the information or data, including:
  - b. Organisation, adaptation or alteration of the information or data, Retrieval, consultation or use of the information or data,
  - c. Disclosure of the information or data by transmission, dissemination or otherwise making available,
  - d. Or alignment, combination, blocking, erasure or destruction of the information or data.

And "processed" shall be construed accordingly.

13. All data users will ensure that appropriate security measures are undertaken to safeguard personal data, commensurate with the nature of the data concerned.

If you have any specific enquiries about use of personal data, please contact the council's Data Protection Officer, Debbie Morgan