

LYMINGTON AND PENNINGTON TOWN COUNCIL

Data Protection Policy

The Data Protection Act 1998 governs the processing of personal data held by organisations

Lymington and Pennington Town Council needs to collect and use certain types of information about people in order to effectively carry out its day to day operations, many of which are statutory requirements.

Information collected includes, among others, current, past and prospective;

- Employees
- Taxpayers
- Benefit / Grant claimants
- Housing tenants
- Suppliers
- Customers / Users of services

Personal information must be dealt with properly however it is collected, recorded and used - whether on paper, in a computer or other material.

The lawful and correct treatment of personal information is regarded as very important to the successful operation of all Council business and to maintaining confidence with all individuals and organisations with whom the Council has contact.

The Council fully endorses and adheres to the Principles of data protection. Specifically the Principles require that personal information:

- Shall be shall be processed fairly and lawfully and in particular shall not be processed unless specific conditions are met;
- Shall be obtained for only one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or purposes;
- Shall be adequate, relevant and not excessive in relation to the purpose for which it is processed;
- Shall be accurate and where necessary kept up to date;
- Shall not be kept for longer than is necessary for that purpose;
- Shall be processed in accordance with the rights of data subjects under the Act;
- Shall have appropriate technical and organisational measures in place to prevent unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data;
- 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.

Lymington and Pennington Town Council will therefore, through appropriate management, strict application of criteria and controls:

- Fully observe the conditions regarding fair collection and use of information;
- Meet its legal obligations to specify the purposes for which information is used;
- Collect and process appropriate information only to the extent that it is needed to fulfil operational needs or to comply with any legal requirements;
- Ensure the quality of information used;
- Apply checks to determine the length of time information is held;
- Ensure that the rights of people about whom information is held are able to be fully exercised under the Act. (These include the right to be informed that processing is being undertaken, the right of access to one's own personal information, the right to prevent processing in certain circumstances and the right to correctly rectify, block or erase information which is regarded as wrong information);
- Take appropriate technical and organisational measures to safeguard personal information;
- Ensure that personal information is not transferred abroad without suitable safeguards.

Lymington and Pennington Town Council will ensure that there is someone with specific responsibility for data protection in the organisation.

All employees managing and handling personal information will be appropriately trained and supervised. All enquiries about the handling of personal information will be dealt with promptly and courteously.

A regular review will be undertaken of the way in which personal information is managed.

Important Information relating to Publication of Personal Data

Any applications, representations, objections or other documents received by the Council that are published on this website will have personal (but not business) telephone numbers and e-mail addresses, and all signatures, removed before publication.

Data Protection Fair Processing Notice

Lymington and Pennington Town Council is required by law to protect the public funds it administers.

New Forest District Council is required by law to protect the public funds it administers. It may share information provided to it internally and with other government agencies, including bodies responsible for auditing or administering public funds, in order to prevent and detect fraud.

Data Subject Access Requests

Individuals about whom personal data is held are entitled to be informed whether personal data about themselves is being processed by the Council.

Background

Data subjects (Individuals about whom personal data is held) are entitled, upon written request to the Council, to be promptly informed whether personal data about themselves is being processed.

Where data about a data subject is being processed the data subject is entitled to be given:

- A description of the personal data
- The purpose(s) for which it is processed
- The recipients or classes of recipients to whom the data has been or may be in the future disclosed
- Any information regarding the source of the data

There are certain classes of data that are exempt from the data subject access provisions.

Fees

A charge of £10.00 is currently made for each subject access request.

Timescales

The Council must respond to any legitimately submitted request within 40 days of receipt.

Responding to a request

To ensure that subject access requests are dealt with in accordance with the requirements of the Data Protection Act 1998 all requests should be handled by the Council's Data Protection Officer. Any requests received by individuals throughout the organisation should therefore be referred to the Data Protection Officer.

All requests must be made in writing. Written requests must include sufficient information within the correspondence to enable the request to be processed.

Computerised and manual records are covered under this entitlement.

A copy of the data held should be supplied in permanent form.

The identity of the data subject must be verified before releasing data. Individuals visiting Council offices will be asked to produce evidence of

identity before handing over any data in response to a request. Examples of valid evidence are passport or photograph section of driving licence.

In certain circumstances provision of a copy of the data in permanent form may be declined if supplying it would result in a disproportionate effort. This might apply if the printed version of the data is very lengthy or has to be retrieved from a remote archive. The data subject is however still entitled to view the data and a sensible option may be to invite the data subject to the offices to inspect the files.

Adopted at Council AGM 11 May 2016