

General Data Protection Regulation (GDPR)

Prepared for: Full Council meeting on 14th May 2018

Prepared by: Griselda Hubbard, Clerk to the Council on 11th May 2018

STANFIELD PARISH COUNCIL

Summary

Mrs Hubbard, the Clerk has attended a training seminar on the new General Data Protection Regulation (GDPR). This report summarises the information given at this seminar and details the actions that the Council will need to make in order to comply with the new regulation. Although GDPR does not come into force until 28th May 2018, public authorities (which obviously include Parish Councils) are being encouraged by the ICO (www.ico.co.uk) to put into place all the steps which the Regulation will expect ahead of this date. GDPR is an EU law which the UK Government has confirmed will apply to this country. The Government will be passing its own legislation on the matter later in the year.

What is GDPR?

This replaces the Data Protection Act of 1998. It is a Regulation which affects all authorities that collect personal data. The Parish Council collect and use personal data for a number of reasons and is expected to have all of its members and staff trained to understand the implications of the Regulation. It is ultimately the responsibility of the Parish Council, as the 'Data Controller', to ensure that things are done correctly.

The next step – recognising the roles

The Data Controller must appoint a Data Protection Officer (DPO). This will need to be someone who is familiar with the workings of the Council as well as GDPR and with no conflict of interest in determining the purpose or manner of processing personal information. The DPO could be the Clerk and the decision was made at the March meeting to appoint Mrs Hubbard as the DPO. The appointment was minuted and the additional role will be included in the Contract of Employment. The Standing Orders will be amended to include an Order, which recognises the Parish Council as the Data Controller and the Clerk as the Data Protection Officer. The Order should also say that all Parish Councillors and Staff will be familiar with the General Data Protection Regulation and take note of updates when they are published. The most secure way of avoiding breaches in respect of personal data is to understand the implications of this regulation.

The role of the Data Protection Officer

The DPO will need to prepare an 'Information Audit' of personal information held. This audit must detail not only the information held but the reason for it being held along with other information. The DPO must also issue Privacy Notices to people whose personal information is held by the Parish Council. The DPO will need to include GDPR in the Council's Risk Management Schedule and undertake assessments of projects which might pose considerable risk in respect of data protection. The Clerk will need to present a GDPR policy to the Parish Council for adoption. This will be done on 14th May at the meeting and will be minuted.

Terms of reference

The Parish Council will discuss the subject of a Committee at the 14th May meeting. The Terms of Reference will be approved at the 14th May meeting, along with the Policy.