

COMPTON BISHOP PARISH COUNCIL

Document And Data Management.

1. Introduction.

Compton Bishop Parish Council recognises that the efficient management of its document & data records is necessary to comply with its legal and regulatory obligations and to contribute to the effective overall management of the Parish Council.

This policy applies to all document & data records created, received or maintained, as either hard copy or electronically, by the Parish Council in the course of carrying out its functions.

Records are defined as all those documents & data which facilitate the business carried out by the Parish Council and which are thereafter retained, for a defined period, to provide evidence of its transactions or activities. These records are created, received or maintained as either hard copy or electronically. Some of the Parish Council's records are required to be permanently stored as part of the Parish Council's archives and for historical research.

This policy sets out the framework for managing this information to ensure the Parish Council meets its legal obligations, specifically the GDPR requirement to only hold data for as long as necessary.

2. Scope & Responsibilities.

- **Scope:** This policy applies to all employees, councillors and volunteers. It covers the generation, management and retention of both electronic and hard copy documents & data to ensure the Parish Council meets its legal obligations, specifically the GDPR requirement to only hold data for as long as necessary.
- **Responsibility:** The Parish Clerk is responsible for the overall management and implementation of this policy.

3. Document and Data Control.

- 2.1. All documents & data created and maintained by Compton Bishop Parish Council are arranged in a record-keeping system that enables quick and easy retrieval of information as required under the General Data Protection Regulations. In the case of hard copy this is in a filing system managed by the Clerk and for electronic data except emails this is through a Cloud based system of individual and shared drives.
- 2.2. For emails each individual that has been provided with a Compton Bishop Parish Council email is responsible for the data management of their account with respect to retrieving emails when requested and for deletion in accordance with the retention periods defined in Compton Bishop Parish Council Document and Data List.
- 2.3. All electronic data that is shared externally by Compton Bishop Parish Council shall be as a PDF be it draft or formally released. In the case of the former the data will be marked with a draft watermark.
- 2.4. Compton Bishop Parish Council Document and Data List details the various individual or groups of documents & data generated by Compton Bishop Parish Council. It also defines the retention period, type i.e. hard copy or electronic, the means of destroying securely and which type is the master.
- 2.5. Once the documents & data retention period is reached it will be reviewed to confirm

that there is no ongoing activity which might require it to be retained beyond this period.

- 2.6. Documents & data shall only be retained past its retention period with the approval of the Chair and Clerk which shall be recorded with the appropriate justification. It must only be retained for as long as it is need for at which point it will be securely destroyed.
- 2.7. Following a destruction confirmation the documents & data will be securely destroyed in accordance with the means defined in Compton Bishop Parish Council Document and Data List.
- 2.8. A record will be kept of all the documents & data that has be destroyed as a result of reaching its retention period. The records will also record any documents & data that have be retained beyond the retention period and when it has been destroyed because it is no longer required.

3. Personal Data.

- 3.1. Compton Bishop Parish Council will process personal data (that is not classed as special categories of personal data as per Article 9 of GDPR) for one or more of the following reasons:
 - It is necessary for the performance of a contract, e.g., contract of employment (or services); and/or
 - It is necessary to comply with any legal obligation; and/or
 - It is necessary for the Parish Council's legitimate interests (or for the legitimate interests of a third party), unless there is a good reason to protect the personal data which overrides those legitimate interests; and/or
 - It is necessary to protect the vital interests of a data subject or another person; and/or
 - It is necessary for the performance if a task carried out in the public interest or in the exercise of official authority vested in the controller.
- 3.2. If Compton Bishop Parish Council processes an individual's personal data (excluding special categories of personal data) in line with one of the above bases, it does not require the individual's consent. Otherwise, the Parish Council is required to gain the individuals consent to process their personal data.
- 3.3. Compton Bishop Parish Council does not systematically process special categories of personal data as per Article 9 of GDPR. If there is as need to process special categories of personal data then it will be on the following basis in accordance with legislation:
 - where it is necessary for reasons for substantial public interest on the basis of law which is proportionate to the aim pursued and which contains appropriate safeguards;
 - and where is it necessary for archiving purposes in the public interest or scientific and historical research purposes.
- 3.4. If Compton Bishop Parish Council processes special categories of personal data in line with one of the above bases, it does not require your consent. In other cases, the Parish

Council is required to gain your consent to process your special categories of personal data.

3.5. If Compton Bishop Parish Council asks for an individual's consent to process personal data, then it will explain the reason for the request. The individual does not need to consent or can withdraw consent later.

3.6. Compton Bishop Parish Council will not use an individual's personal data for an unrelated purpose without telling them about it and the legal basis that it intends to rely on for processing it.

4. Subject access requests.

4.1. Individuals have the right to make subject access requests to Compton Bishop Parish Council relating to any personal data held.

4.2. If subject access request is made, Compton Bishop Parish Council will tell the individual requestors:

- Whether or not their data is processed and if so why, the categories of personal data concerned and the source of the data if it is not collected from the individual;
- To whom any data is or may be disclosed, including to recipients located outside the European Economic Area (EEA) and the safeguards that apply to such transfers;
- How long their data is stored (or how that period is decided);
- Their rights to rectification or erasure of data, or to restrict or object to processing;
- Their right to complain to the Information Commissioner if it is considered that the council has failed to comply with the individuals data protection rights; and
- Whether or not the council carries out automated decision-making and the logic involved in any such decision-making.

4.3. The Compton Bishop Parish Council shall also provide requestors with a copy of their personal data undergoing processing. This shall be in electronic form, unless agreed otherwise.

4.4. The Compton Bishop Parish Council may charge a fee for additional copies which will be based on the administrative cost to the council of providing the additional copies.

4.5. All subject access request, sent to the Clerk of Compton Bishop Parish Council and shall include proof of identification to enable the request to be processed.

4.6. The Compton Bishop Parish Council shall respond to a request within a period of one month from the date it is received.

5. Breach of Information Security.

5.1. All users of documents and data under the responsibility of Compton Bishop Parish Council shall report actual or potential data protection compliance failures as soon as possible and take immediate steps to minimise the impact and to assist with managing risk.

Compliance failure occurs when data or information is transferred to somebody who is not entitled to receive it:

- It includes losing data or theft of information
- Unauthorised use of the Parish Council's system to process or store data by any person
- attempted unauthorised access to data or information regardless of whether this was successful or not.

5.2. When notified Compton Bishop Parish Council shall fully investigate both actual and potential compliance failures, take remedial steps if necessary to prevent further breach and record the event & outcomes.

5.3. If the incident involves or impacts personal data the registered Compton Bishop Parish Council Data Controller shall report it to the ICO within 72 hours.

6. Review and Monitoring.

6.1. A yearly report shall be issued and accepted by Compton Bishop Parish Council to monitor the council's compliance to this policy.

6.2. This policy shall be reviewed every two years to ensure that it remains compliant to external legislation.