



## General Data Protection Regulation (GDPR)

The SLCC have recently published guidance on the implementation of the GDPR by Parish Councillors. There are continuing discussions with the National Association of Local Councils (NALC) and the Information Commissioners Office (ICO) on the specific point of whether a clerk can, in certain cases, fulfil the role of the Data Protection Officer (DPO).

At a recent Parish Clerks' meeting Guildford Borough Council indicated they are exploring ways in which they can provide or support this function centrally although there may be a cost implication for the Parish. I propose therefore that we set aside consideration of this issue until we receive further clarification.

The ICO has made clear that, setting aside the issue of whether or not the clerk can act as the DPO, the following aspects of GDPR can and should be developed and implemented on or before 25th May.

1. Data audit – the compilation of a list of the data held by the council, where it came from and who it is shared with- See Appendix
2. Privacy notices – putting these in place in time for GDPR implementation (See below)
3. Policies – drawing up relevant council policies relating to data processing and protection so that they reflect the new requirements (See below)

As we have very little of this in place in present this represents a considerable undertaking which we will need to take proportionately and efficiently drawing on available guidance wherever possible.

In addition to the above I propose we implement Parish Council email addresses for the exclusive use of Council business. This will protect members private business from public access requests and simplify the implementation of data protection policy. Our contractor indicates implementation on the @westclendon.org.uk address will cost about £40.

We should register with the ICO if we are required to do so.

I also propose we adopt customised versions of the SLCC model policies and procedures for the following:

(see [http://mstat260.co.uk/storage/c/014/000000000031/slcc\\_gdpr\\_2018\\_checklist\\_-\\_final\\_version.pdf](http://mstat260.co.uk/storage/c/014/000000000031/slcc_gdpr_2018_checklist_-_final_version.pdf))

1. Consent to hold personal data form
2. Document Retention Policy (and follow up audit)
3. Information Data Protection Policy
4. Removable Media Policy
5. Privacy Notice (with link from email signature)
6. New Councillor Contact Privacy Notice
7. Subject Access Request Form
8. Data Breach Reporting Form

Not required at present:

Social Media Policy

Allotment Tenants Privacy Notice Consent Form

Neighbourhood Plan Consultation Contact Privacy Notice

Pitch Hiring Contact Privacy Notice

Privacy Impact Assessment

Privacy Impact Assessment Code-of-Practice

Privacy Impact Assessment Form

Purchase of Exclusive Rights of Burial Privacy Notice Consent Form

**Appendix- West Clandon Parish Council Data Audit (7/4/18)**

To whom does it relate?	What Data is it?	Including Sensitive Data?	What is it for?	Why do we have it?	Are we legally obliged to hold this data? NOTE: If we are legally obliged to hold it, no consent is needed.	Have we got a contract or privacy notice relating to the data subject?	If we have a contract with the data subject, does it demonstrate all necessary consents?	With whom do we share this data? LIST THEM ALL	Who is responsible for keeping this data?	How often is it checked?	How long do we keep it?	Where is it held?	Protection?	Action needed
Staff														
N/A	Contract	Yes	HR	It is a contract	No	Contract	Yes	External Professional Advisers	Clerk	On appointment and on review	Duration of Employment plus 6 years	Laptop/filing Cabinet	Password/ Lock & key	
	PAYE	No	HR	Legislative requirement	Yes	Not required	Not applicable	External Professional Advisers; HMRC; payroll company	Clerk	Monthly	Duration of Employment plus 6 years	Laptop/filing Cabinet	Password/ Lock & key	
	Bank details	No	HR	To pay staff salaries	No	Contract	Yes	Our Bank; Payroll company	Clerk	Duration of Employment	Duration of Employment plus 6 years	Laptop/filing Cabinet	Password/ Lock & key	
N/A	Pension details	Yes	HR	Legislative requirement	Yes	Not required	Not applicable	External Professional Advisers; payroll company; Pension Fund Managers; HMRC	Clerk	Duration of Employment	Duration of Employment plus 6 years	Laptop/filing Cabinet	Password/ Lock & key	
	Leave Form	No	HR	Employment Purposes	No	Yes	Yes	External Professional Advisers	Clerk	Yearly	Duration of Employment plus 6 years	Laptop/filing Cabinet	Password/ Lock & key	

	Staff Appraisals	Yes	HR	Employment	No	Yes	Yes		Clerk	As required	duration of employment	Filing cabinet	lock and key	
	Performance Plans	Yes	HR	Employment	No	Yes	Yes		Clerk	As required	duration of employment	Filing cabinet	lock and key	
Councillors								This is Public Knowledge						
	Declarations of Interest	Yes	Democracy	legislative requirement	Yes	Not required	Not applicable		Clerk	At Election	Term of Office plus 4 years	Laptop/filing Cabinet	Password/ Lock & key	
	Personal Contact Details	No	Democracy	legislative requirement	Yes	Not required	Not applicable		Clerk	At Election	Term of Office plus 4 years	Laptop/filing Cabinet	Password/ Lock & key	
	Email Addresses	No	Democracy	legislative requirement	Yes	Not required	Not applicable		Clerk	At Election	Term of Office plus 4 years	Laptop/filing Cabinet	Password/ Lock & key	
Contractors /Suppliers where we hold personal data of a natural person (not the data of a limited company or of another council)														
	Contact details	No	Business	Contact	No	Contract	Yes	External Professional Advisers	Clerk	When Appointed	See document Retention Policy	Laptop/filing Cabinet	Password/ Lock & key	Clerk to List of contracts with 'personal data'

	Invoices	No	Business	Payment	No	Contract	Yes	Public inspection on audit	Responsible Finance Officer	On raising	See document Retention Policy	Laptop/filing Cabinet	Password/ Lock & key	
	Purchase orders	No	Business	Purchasing	No	Contract	Yes	Public inspection on audit	Responsible Finance Officer	On raising	See document Retention Policy	Laptop/filing Cabinet	Password/ Lock & key	
	Quotations	No	Business	Purchasing	No	Contract	Yes	Public inspection on audit	Responsible Finance Officer	On raising	See document Retention Policy	Laptop/filing Cabinet	Password/ Lock & key	
	Bank Account details	No	Business	Payment	No	Contract	Yes	Our bank	Responsible Finance Officer	On raising	See document Retention Policy	Laptop/filing Cabinet	Password/ Lock & key	
	Insurance	No	Business	Contract	No	Contract	Yes	External professional advisers	Responsible Finance Officer	On appointment	See document Retention Policy	Laptop/filing Cabinet	Password/ Lock & key	
	References	No	Business	Contact	No	Contract	Yes	External professional advisers	Responsible Finance Officer	On appointment	See document Retention Policy	Laptop/filing Cabinet	Password/ Lock & key	
Residents														
	Electoral Register	No	Democracy	Democracy	No	Not applicable	No contract	Public Document required by law, which we choose to hold.	Clerk	On receipt	1 Year	Laptop/filing Cabinet	None required	

	Complaints	Sometimes	Democracy	Democracy	No	Privacy Notice	No contract	External Professional Advisers, MPs, principal councils.	Clerk	On receipt	1 year	Laptop/filing Cabinet	Password/ Lock & key	
	Freedom of Information requests	No	Democracy	Democracy	Yes	Privacy Notice	No contract		External Professional Advisers	Clerk	On receipt	2 years	Laptop/filing Cabinet	Password/ Lock & key
	General Correspondence from MOPs	Perhaps	Democracy	Democracy	No	Privacy Notice	No contract		External Professional Advisers, MPs, principal councils.	Clerk	On receipt	1 year	Laptop/filing Cabinet	Password/ Lock & key
Community Organisations														
	Email Addresses	No	Democracy	Contact	No	Privacy Notice	No contract	Nobody without consent	Clerk	On receipt	See document Retention Policy	Laptop/filing Cabinet	Password/ Lock & key	
	Grant Application Forms	Perhaps	Democracy	Service to community	No	Privacy Notice	No contract	External Professional Advisers	Clerk	On receipt	See document Retention Policy	Laptop/filing Cabinet	Password/ Lock & key	
	Nominations of external committee members	No	Democracy	Contact	No	Privacy Notice	No contract	Names become Public Knowledge, other data is confidential	Clerk	Annually	See document Retention Policy	Laptop/filing Cabinet	Password/ Lock & key	

Planning							
	Objections	No	Democracy	We are consulted on applications	Yes	Public Document	No contract
Property							
	Lease for Recreation Ground	No	Property	Council function	No	Public Document	Yes
Village Hall	(We are Custodian Trustee)						
	legal Agreements	No	Property Records	Recreation function	No	Contract	Yes
	Deeds - Land purchase	No	Property Records	Property Records	No	No	Public document
	Lease for Village Hall	No	Property Records	Property Records	No	Contract	Yes
General Contacts							

Our objection or approval is a public document	Clerk	On receipt	1 year	Laptop/filing Cabinet	None required		
Public Document registered at Land Registry	Clerk	Annually	Indefinitely	Laptop/filing Cabinet	Password/Lock & key		
Public Document registered at Land Registry	Clerk	Annually	See document Retention Policy	Laptop/filing Cabinet	Password/Lock & key		
Public Document registered at Land Registry	Clerk	Annually	See document Retention Policy	Laptop/filing Cabinet	Password/Lock & key		
Public Document registered at Land Registry	Clerk	Annually	See document Retention Policy	Laptop/filing Cabinet	Password/Lock & key		





## Individuals Rights

You should check your procedures to ensure they cover all the rights individuals have, including how you would delete personal data or provide data electronically and in a commonly used format.