

# Bedwas, Trethomas & Machen Community Council



## Data Protection Policy

Review Date: every 3 years

### Version Control

Version Number	Date	Minute
Original	04.03.2021	679.3
Revised V1	May 2024	1098

## **PURPOSE**

Bedwas, Trethomas & Machen (BTM) Community Council recognises its responsibility to comply with the Data Protection Act 1998. The Data Protection Act 1998 regulates the use of personal data and sets out high standards for the handling of personal information and protecting individuals' rights for privacy. It also regulates how personal information can be collected, handled, and used. The Data Protection Act applies to anyone holding personal information about people electronically or on paper.

This data can be classified as:

- Data shared in the public arena about the activities/services; its mode of operation and other information it is required to make available to the public
- Confidential information and data not yet in the public arena
- Confidential information about another organisation because of commercial sensitivity
- Personal data concerning its current, past and potential employees, Councillors, and volunteers
- Personal data concerning individuals who contact the Council for information, to access its services, or to make a complaint

The Community Council will be as transparent as possible about its operations and will work closely with the public, community, and voluntary organisations. The BTM Community Council Publication Scheme is available on the website at [www.btmcc.co.uk](http://www.btmcc.co.uk).

The Community Council has registered with the Information Commissioner's Office (ICO) - Registration Number is ZA540865.

BTM Community Council has several procedures in place to ensure that it complies with the Data Protection Act 1998 when holding personal information and managing the data it handles. It respects the confidentiality of both its own data and that belonging to other organisations it works with and members of the public.

## **Protecting Confidential or Sensitive Information**

BTM Community Council recognises it must at times keep and process sensitive and personal information about both employees and the public. The General Data Protection Regulation (GDPR) became law on 25th May 2018 and seeks to strike a balance between the rights of individuals and the sometimes, competing interests of those such as the Community Council, with legitimate reasons for using personal information.

**The Policy is based on the premise that personal data must be:**

- Processed fairly, lawfully and in a transparent manner in relation to the data subject
- Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes
- Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed
- Accurate and, where necessary, kept up to date
- Kept in a form that permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed
- Processed in a manner that ensures appropriate security of the personal data including protection against unauthorised or unlawful processing and against accidental loss, destruction, or damage, using appropriate technical or organisational measures

**BTM Community Council processes personal data in order to:**

- Fulfil its duties as an employer by complying with the terms of contracts of employment, safeguarding employees and maintaining information required by law
- Pursue the legitimate interests of its business and its duties as a public body, by fulfilling contractual terms with other organisations, and maintaining information required by law
- Monitoring its activities, including the equality and diversity of its activities
- Assist regulatory and law enforcement agencies
- Process information including the recording and updating details about its councillors, employees, and volunteers
- Process information including the recording and updating details about individuals who contact it for information, or to access a service, or make a complaint
- Undertake surveys, and questionnaires to fulfil the objectives and purposes of the Community Council
- Undertake research, audit and quality improvement work to fulfil its objects and purposes
- Carry out Community Council administration

Where appropriate, and governed by necessary safeguards, the Community Council may from time to time carry out the above processing jointly with other bodies.

**BTM Community Council will ensure that at least one of the following conditions is met for personal information to be considered processed:**

- The individual has consented to the processing
- Processing is necessary for the performance of a contract or agreement with the individual
- Processing is required under a legal obligation
- Processing is necessary to protect the vital interests of the individual

- Processing is necessary to carry out public functions
- Processing is necessary in order to pursue the legitimate interests of the data controller or third parties

Particular attention is paid to the processing of any sensitive personal information and the Community Council will ensure that at least one of the following conditions is met:

- Explicit consent of the individual
- Required by law to process the data for employment purposes
- A requirement in order to protect the vital interests of the individual or another person

### **Who is responsible for protecting a person's personal data?**

BTM Community Council as a corporate body has ultimate responsibility for ensuring compliance with data protection legislation. The Council has delegated this responsibility day to day to the Clerk, who is the Data Protection Information Assistant (DPIA).

Email: [clerk@btmcc.co.uk](mailto:clerk@btmcc.co.uk)

Telephone: 029 20885734

Address: Council offices, Newport Road, Bedwas, Caerphilly. CF83 8YB.

The Community Council will give guidance on personal data to employees, councillors, volunteers, and individuals contacting the Council, through a Privacy Notice and ensure that individuals on whom personal information is kept are aware of their rights and have easy access to that information on request.

### **Information Provided to BTM Community Council**

The personal information provided (name, address, email, phone number) will be processed and stored so that it is possible for the Community Council to contact, respond to, or conduct the transaction requested by the individual. By transacting with the Community Council individuals are deemed to be giving consent for their personal data provided to be used and transferred in accordance with this policy. It is the responsibility of those individuals to ensure that the Community Council can keep their personal data accurate and up to date. The personal information will not be shared or provided to any third party or be used for any other purpose other than that for which it was provided.

### **The Community Council's right to process information**

- General Data Protection Regulation (GDPR) Article 6(1) (a) (b) and (e) and Data Protection Act 2018.
- Processing is with consent of the data subject, or
- Processing is necessary for compliance with a legal obligation, or
- Processing is necessary for the legitimate interests of the Community Council.

### **Information Security**

BTM Community Council has a duty to ensure the security of personal data. We make sure that your information is protected from unauthorised access, loss, manipulation, falsification, destruction or unauthorised disclosure. This is done through appropriate technical measures and appropriate policies. Copies of these policies can be requested.

We will only keep your data for the purpose it was collected for and only for as long as is necessary. After which it will be deleted. (You may request the deletion of your data held by BTM Community Council at any time).

### **Children**

We will not process any data relating to a child (under 13) without the express parental/guardian consent of the child concerned.

### **Access to Information**

You have the right to request access to the information we have on you. You can do this by contacting our Data Information Officer: Ann Butler by email [clerk@btmcc.co.uk](mailto:clerk@btmcc.co.uk)

### **Information Correction**

If you believe the information we have about you is incorrect, you may contact us so that we can update it and keep your data accurate. Please contact the Clerk on [clerk@btmcc.co.uk](mailto:clerk@btmcc.co.uk) to request this.

### **Information Deletion**

If you wish BTM Community Council to delete the information about you, please contact the Clerk on [clerk@btmcc.co.uk](mailto:clerk@btmcc.co.uk) to request this.

### **Right to Object**

If you believe that your data is not being processed for the purpose it has been collected for, you may object. Please contact the Clerk on [clerk@btmcc.co.uk](mailto:clerk@btmcc.co.uk) to object.

### **Rights Related to Automated Decision Making and Profiling**

BTM Community Council does not use any form of automated decision making or the profiling of individual personal data.