

## **Axbridge Town Council Data Protection Policy**

### **1. Introduction**

- 1.1 The 1998 Data Protection Act has been in force since 1 March 2000. Axbridge Town Council supports the objectives of the Act and will comply with it.
- 1.2 The purpose of this policy statement is to state the Town Council's commitment to maintaining the confidentiality of personal information within its record systems, which is required by the Act.
- 1.3 The Data Protection Act 1998 also allows individuals to make a data subject access request. In such a case an individual is entitled to receive, in an intelligible form, all information held relating to them. There is an application form, which must be completed, and the maximum fee that can be charged is £10.00. For further information contact the Data Protection Officer.
- 1.4 The obligations contained in this policy statement apply to both Council Members and employees.

### **2. Policy**

- 2.1 Axbridge Town Council is committed to maintaining the strictest level of confidentiality for any personal data it is responsible for processing. The Town Council will only process or disclose personal data for purposes necessary for Town Council business and for purposes that have been notified to the Data Protection Commissioner. The Town Council will adhere to the Principles outlined in the Data Protection Act 1998.
- 2.2 The eight principles are:
- i) Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless:-
    - ◆ at least one of the conditions in Schedule 2 is met, and
    - ◆ in the case of sensitive personal data, at least one of the conditions in Schedule 3 is also met.
  - ii) Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
  - iii) Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
  - iv) Personal data shall be accurate and, where necessary, kept up to date.
  - v) Personal data processed for any purpose or purposes shall not be kept for longer than necessary for that purpose or those purposes.

- vi) Personal data shall be processed in accordance with the rights of data subjects under this Act.
- vii) Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
- viii) Personal data shall not be transferred to a country or territory outside of 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.

2.3 The Town Council carries out its affairs in an open manner. Apart from exceptional circumstances as outlined in the Act, the Town Council will provide information about a data subject on request. Where a data subject asks the Town Council for access to data, the request must come on a Subject Access Request Form and with the fee set by the Council in accordance with the Act. The Subject Access Request Form, which has been made available on the Town Council website ([www.axbridge-tc.gov.uk](http://www.axbridge-tc.gov.uk)), must be returned to the Data Protection Officer.

2.4 The Council will try to hold only the minimum data necessary to perform its business and will erase or destroy the data in such a manner that confidentiality is maintained. The Council will try to ensure that data is accurate and up to date and will correct inaccuracies without unnecessary delay.

2.5 Axbridge Town Council reserves the right, in exceptional circumstances, to deviate from this policy, only after having taken the advice of the Monitoring Officer.

### 3. Definitions

3.1 **Personal Data:** any data that relates to a living individual who can be identified from that data. This includes any expression of opinion about the individual and any indication of the intentions of the Town Council in respect of that individual.

3.2 **Processing:** in relation to information or data, means obtaining, recording or holding the information or data or carrying out set operations on it including disclosure.

3.3 **Data Subject:** an individual who is the subject of personal data.