



SCOTTHERN PARISH COUNCIL

DATA PROTECTION

Adopted June 2012

Reviewed without change June 2016
Reviewed without change October 2019

INTRODUCTION

1. The Data Protection Act 1998 came into force on 1 March 2000. It provides the statutory framework for the use of computerised information (including microfiche, audio and visual systems) and also certain manual records about living identifiable individuals in the United Kingdom.

DEFINITIONS

2. The 1998 Act creates its own definitions. The important definitions are: -

“Personal Data” means data which relates to a living individual who can be identified:

- from the data; or
- from the data and other information which is in the possession of the data controller (see below), and includes any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual.

“Data Subject” means an individual who is the subject of personal data.

“Data Controller” means a person who (either alone or jointly or in common with other persons) determines the purposes for which and the manner in which any personal data is, or are to be, processed.

A data controller must be a “person” i.e. a legal person. This term comprises not only individuals but also organisations such as corporate and unincorporated bodies of persons and indeed companies. In the circumstances it is entirely appropriate for a council in its corporate entity to be the data controller for the purposes of the Data Protection Act.

RIGHTS OF DATA SUBJECTS

3. A person about whom information is held (a ‘data subject’) is entitled (usually for the payment of a fee) to be informed by any ‘data controller’ whether any information is held on him / her and to:
 - a description of the data; and
 - a copy of the information in an intelligible form.
4. The data subject is also entitled to request and receive information pertaining to:
 - the purposes for which the data is being held;
 - the recipients or classes of recipients to whom it may be disclosed; and
 - the source of the data.

FURTHER INFORMATION

5. Responsibility for managing the notification scheme, enforcing the Acts requirements and promoting compliance and good practice lies with the Information Commissioner, contact details below:

Office of the Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Information Line: 01625 545745/08456 306060
Switchboard: 01625 545745
Fax: 01625 524510
Website: <http://www.ico.gov.uk/>

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6. For the purposes of complying with the Data Protection Act, the Parish Council shall be considered the 'Data Controller', with the current Clerk to the council being deemed the point of contact.

The only 'Personal Data' held by the council is limited to the names and email addresses of those Parishioners who have elected to receive the "Scothern Clarion" email newsletter. . Such parishioners should be considered as the 'Data Subjects'.

The 'Data Subjects' are entirely at liberty to request that their 'Personal Data' be removed by opting out of the email newsletter. This can be achieved by contacting the Parish Clerk.

This data will only be used for the purposes of communicating via email to the 'Data Subjects' and will not be shared with any third party, either in the UK or elsewhere. All recipients of the email newsletter will be "Blind Courtesy Copied" (BCCd) to protect their privacy.

Having consulted with the OIC, and completed their online self-assessment form, the Parish Council does not believe that it has a statutory duty to "notify" the Information Commissioner regarding the data held but will nonetheless strive to conform to the principles and requirements of the Act at all times.