

MARKET BOSWORTH PARISH COUNCIL

Data Audit: May 2018

Reaffirmed: December 2019



Under the General Data Protection Regulation (GDPR) (EU) 2016/679 which came in to force on 25 May 2018 Parish Councils are required to demonstrate accountability in respect of how data is processed; what to do if there is a data breach; and approve up to date Privacy Notices, a Subject Access Request (SAR) Policy and a Data Protection Policy. A data audit has been carried out as a useful first step to enable Market Bosworth Parish Council to identify the type of data it processes and demonstrate how it is compliant with the law.

Data in general

Market Bosworth Parish Council does not:

- Collect, hold or process any personal information defined as a protected characteristic in the Equality Act 2010 (ie relating to age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; or sex) except in relation to the Clerk who is a salaried employee.
- Provide or exchange data containing the personal details of any individual without the express consent of the individual concerned.
- Collect or process personal data, except incidentally in the normal course of business. Most data comprises names, postal and email addresses, telephone numbers and correspondence in the form of emails and documents. Some of this information is already publicly available through directories, publications and other organisations, or it may be obtained for short term purposes only in relation to specific projects involving volunteers.
- Hold any personal financial information except in relation to contractors requiring payment for goods or services rendered.

Personal information may be held in connection with Grants of Exclusive Rights of Burial, cemetery matters, Rectory Lane car park permits, hire of the Parish Field, complaints, contracts and agreements.

Emails sent and received between Councillors and the Parish Clerk, members of the public and other organisations are in text format written form and open to scrutiny. The Parish Council does not use SMS text messaging.

All Parish Councillors have their own email addresses for Parish Council business which are not shared by others. Six Parish Councillors have marketbosworth-pc.gov.uk domain emails provided through the website administrator and protected by robust anti-virus and anti-malware internet security systems which are kept up to date.

Data mapping

Stakeholders, circulation and interested parties

Members of the public; parishioners; parish, district and county councillors; members of parliament; national and local government departments and organisations; charities; associations; service providers; contractors.

Types of data handled

Emails and attachments including images; paper documents; notes of meetings; website visitors.

Direction of data

Inwards to the Clerk or working parties copied to the Clerk; outwards to appropriate parties and the parish council website; some data retained and/or processed for statutory records. Personal information is never sent out without consent. Anonymous communications are not responded to.

Parish Council website

Is protected by a robust anti-virus and malware system. The website does not at present allow other users to edit or input any information. The Parish Council's website is controlled by the Clerk and contains only public information. Cookies are used on the Parish Council website. The Parish Council provides information about the cookies and why they are used and allows individuals to refuse to give consent. The Parish Council does not keep a record of the consents provided by users to the cookies. The cookies are not used to identify an individual.

Commercial and financial activity

The Parish Council's accounts are published and open to public examination as required by law.

Consent

The Parish Council assumes that any individual who communicates with the Parish Council will expect a reply and has implicitly consented to their contact details being held until the matter has been closed. Volunteers assisting with short term projects are invited to complete appropriate consent forms.

File retention and deletion

Files are currently deleted 6 months after the matter in question has been dealt with unless there are relevant legal requirements to retain them for longer.

Right to be forgotten

Any person can apply at any time to have their own details removed from Parish Council records.

Risk Management

The Parish Council reviews its Risk Management Scheme annually. Procedures are in place should there be a data breach.

Data Audit for Market Bosworth Parish Council

Person completing the Data Audit: Catherine Monkman Telephone number: 01455 291867	Role: Parish Clerk Email: clerk@marketbosworth-pc.gov.uk
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What Data is held?	Where did data come from?	Is the data sensitive? *	Has there been positive unambiguous consent? (i.e. opt-in consent).	Why is it kept?	What is the legal basis for keeping it?	How long will the data be kept and is it kept securely?	Is there a procedure for checking data accuracy?	Will the data be shared with anyone ?	If the data is shared has the external source confirmed its security procedures?	If the data is of high risk to individuals is a further Data Impact Assessment needed?
Maintenance contractors' bank details, contact details & references	Contractor	No	No	To enable payment & monitoring of contract	Contractual necessity. Limitation Act 1980 (as amended)	Locked in cabinet until 6 years after contract ends	Yes – each time payment is made & contract reviewed	No	NA	NA
Photos on the council website.	Individuals	No	No	Publicity	Consent	Will be deleted from password protected website when out dated.	NA	No	NA	NA
Councillors' names and addresses and Register of Interests	Individual Councillors	No	No. Consent is not a legal basis to process personal data for staff or Councillors	Communication	Legal obligation (discharge of council's statutory functions and powers)	Until end of term.	Yes – during regular contact with councillors	Yes – on the website	NA	NA

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Names and contact details of council volunteers	Individual	No	Yes – volunteer consent forms	Communication	Consent. Legal obligation (discharge of council's statutory functions and powers)	Password protected and / or kept in locked cabinet until project completed	Yes – meetings with volunteers	No	NA	NA
Contact details of car park permit holders	Permit holder	No	No	Communication. To collect payments	Legal obligation (discharge of council's statutory functions and powers)	Until permit relinquished	Annually on payment for permit	No	NA	NA
Contact details of those on the car park permit waiting list	Prospective permit holders	No	No	To keep a record of demand	Legal obligation (discharge of council's statutory functions and powers)	Until allocated a permit.	No – checked on permit allocation	No	NA	NA
Contact details for those who hire the parish field	Individuals	No	No	Administration. Insurance	Performance of contract. Legal obligation (discharge of council's	Kept in locked cabinet for up to 6 years after the event has been held	No – checked at time of agreement of hire	No	NA	NA

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					powers and functions). Limitation Act 1980 (amended)					
Contact details for those who enquire about hire of the parish field	Individuals	No	No	Administration	Legal obligation (discharge of council's statutory powers and functions)	Until the event is held or the date of the proposed event has passed without the event taking place	Checked if / when the hire agreement goes ahead	No	NA	NA
Employee details	Employee	Yes	No - consent is not an appropriate legal basis to process personal data for staff or councillors	Necessary for office administration	Legal obligation – comply with employment and equality law / report to HMRC. Performance of contract. Limitation Act 1980 (amended)	Password protected and kept in locked cabinet for up to 6 years after employee leaves post.	Yes at annual appraisal	Pension provider and HMRC	Yes	No

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Name and addresses of burial plot owners	Deceased's relatives	No	No	To maintain complete burial records	Legal obligation (discharge of council's statutory functions and powers). Local Authorities Cemeteries Order 1977	Indefinitely – data kept in hard copy registers in locked filing cabinet and in electronic format on password protected computer.	Circulate written request to inform the Parish Council of updated contact details with Exclusive Right of Burial	No	NA	NA
Land leases Heath Road Play Area; car park permit area; land on Beckett Avenue	Landowners	No	No	Legal agreements as to terms of lease	Contractual necessity. Limitation Act 1980 (as amended)	Kept in locked cabinets for up to 12 years after end of the lease agreement	Yes – annual renewal	No	NA	NA

*e.g. racial or ethnic origin; political opinions; sexual orientation; religious beliefs; trade union membership; physical or mental health or condition; sexual life or orientation; genetic data; and biometric data.