

## **General Data Protection Regulation (GDPR) report from the Parish Clerk for the Council meeting to be held in March 2018**

Having recently attended training courses and researched through the ICO website and white paper directly, this report summarises the actions which the Council will need to make in order to comply with GDPR. Although GDPR does not come into force until May 2018, we are being encouraged by the ICO ([www.ico.co.uk](http://www.ico.co.uk)) to put into place all the things which the Regulation will expect us to do ahead of this date. GDPR is an EU law which the UK Government have confirmed will apply to this country. Our Government will be passing its own legislation on the matter next year.

### **What is GDPR?**

This replaces the Data Protection Act of 1998. It is a Regulation which affects all authorities which collect personal data. We collect and use personal data for a number of reasons Council is expected to have all of its members and staff trained to understand the implications of the Regulation. It is ultimately the responsibility of the Council, as the Data Controller, to ensure that things are done correctly.

### **Things which need to be done – recognising the roles**

The Data Controller must appoint a Data Protection Officer (DPO). This will need to be someone who is familiar with the workings of the Council as well as GDPR and with no conflict of interest in determining the purpose or manner of processing personal information. In our case, I recommend that I am the DPO as Clerk. This will need to be minuted and included in my Job Description and Contract of Employment. We will also need to amend our Standing Orders to include an Order which recognises the Council as the Data Controller and the Clerk as DPO.

### **Additional work for the DPO**

The DPO will need to prepare an 'Information Audit' of personal information held. This audit must detail not only the information held, but the reason for it being held along with other information. The DPO must also issue Privacy Notices to people whose personal information is held by the Council. The DPO will need to include GDPR in the Council's Risk Management Schedule and undertake assessments of projects which might pose considerable risk in respect of data protection. The Clerk will also need to present to the Council a GDPR Policy for adoption. This Policy is considered to be one of the core policies of the Council.

There remains an obligation on all members of the Council to be trained in this matter. Understanding the implications of this Regulation is one of the best ways of avoiding breaches in respect of personal data which could be costly for the council, time consuming for the Clerk as well as a risk to reputation.

### **Recommendation:**

The Council formally minute their role as Data Controller and the Clerk as Data Protection Officer

The Council assist in providing information for the Information Audit.

The Council agree and update the Clerks contract and job description.

The Council update Standing Orders and Financial Regulations to reflect changes

The Council adopt a GDPR Policy, Risk Assessment and Document Retention Policy