

DARLEY DALE TOWN COUNCIL 2023-24

INFORMATION AND DATA HANDBOOK

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Data Privacy Notice

1. Your personal data – what is it?

Personal data relates to a living individual who can be identified from that data. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession. The processing of personal data is governed by the General Data Protection Regulation (the "GDPR").

2. Who are we?

Darley Dale Town Council is the data controller (contact details below). This means it decides how your personal data is processed and for what purposes.

3. How do we process your personal data?

Darley Dale Town Council complies with its obligations under the "GDPR" by keeping personal data up to date; by storing and destroying it securely; by not collecting or retaining excessive amounts of data; by protecting personal data from loss, misuse, unauthorised access and disclosure and by ensuring that appropriate technical measures are in place to protect personal data.

We use your personal data for the following purposes:

- To enable us to manage the allotments.
- To enable us to contact residents.
- To fundraise and promote the interests of the Council.
- To manage our employees and volunteers.
- To maintain our own accounts and records.
- To inform you of news, events, activities and services in Darley Dale.

5. Sharing your personal data

Your personal data will be treated as strictly confidential and will usually only be shared within the Council to carry out a service or for purposes connected with the Council. We will not share your data with any outside agencies without your permission.

6. How do we store your personal data?

Data is stored electronically in the cloud which is encrypted for security and held in the UK and/or may be held in paper format in the filing cabinets in the Town Council Offices. Some of your data maybe in our email system as individual contacts or as part of a bigger distribution list.

7. Your rights and your personal data

Unless subject to an exemption under the GDPR, you have the following rights with respect to your personal data: -

- The right to request a copy of your personal data which the Council holds about you.
- The right to request that the Council corrects any personal data if it is found to be inaccurate or out of date.
- The right to request your personal data is erased where it is no longer necessary for the Council to retain such data.
- The right to withdraw your consent to the processing at any time.

- The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing.
- The right to object to the processing of personal data (where applicable).
- The right to lodge a complaint with the Information Commissioners Office.

8. Further information

You can contact us at townclerk@darleydale.gov.uk or at our office in the Whitworth Centre, Station Road, Darley Dale, DE4 2EQ. You can also call us on 01629 735248 or contact the Information Commissioners Office directly www.ico.org.uk

Data Protection Policy

Darley Dale Town Council complies with the Data Protection Act 1998 and the General Data Protection Regulations which sets out standards for the collection and handling of personal information to protect individuals' rights to privacy. This policy briefly sets out how and why we might collect personal data and the steps we take to protect it. Our aim is to ensure that any personal information we receive and hold is:

- not shared with any third party without your permission.
- used only for the purposes for which it is collected.
- As accurate as possible and deleted when no longer required.
- stored securely and accessed only by authorised staff and Councillors.

Individual Data

Council staff and Councillors often deal with individual residents, most of which involves personal data in the form of physical contact details as well as email addresses and telephone numbers. Residents report problems and ask for our help by email, by phone and through the "report it" function on our website. We deal with these on a one-to-one basis and deliberately do not log them centrally in any way which could be described as a "dataset". In most cases the data is deleted once the issue has been resolved though in some cases, we do retain the emails within the Outlook system in case incidents are repeated. Occasionally we may need to share your details with other Councils or third-party service providers but we will only do so with your permission.

Allotment Management

Darley Dale Town Council (DDTC) holds personal data on all existing allotment holders in a managed spreadsheet held on a secure drive to support the delivery of the allotment service. Data typically includes name, postal address and contact information, including telephone and email details. We also hold basic contact information on residents on the waiting list. This is held in the same spreadsheet. We ask all allotment holders to review their information annually when new contracts are let in April and the contract itself instructs plot-holders to report any changes to their personal data as they occur. Some allotment holder contact data is also held as individual email contacts and in two Outlook email distribution lists to allow us to contact all allotment holders collectively. This is done using the "blind copy" function so that recipients can only see their own email address and not those belonging to the other recipients.

Surveys and votes

The Council occasionally conducts surveys of residents and visitors. We also run an annual nomination scheme for the DDTC Community Awards. Both take the form of paper and on-line questionnaires with the latter being provided through Survey Monkey since August 2021. Our approach is to limit the use of personal data as far as is possible though basic contact details are required to validate submissions and contact winners where the survey is incentivised in some way. All forms and online questionnaires are designed to comply with GDPR requirements through a short statement and tick box. Any data collected is held solely for the purposes it was acquired and summary findings and comments are anonymised before use. Where we

need to retain data for historical purposes it is held securely on our system or on a password protected secure site in the case of survey monkey.

Anyone can ask for details of the information we hold on them in writing at any time and we will provide it or delete it as appropriate within 10 working days of any request.

Data Breaches

If a data breach is identified or reported, it will be handled in line with the Council's Information Security Incident Policy.

INFORMATION SECURITY INCIDENT POLICY

This document defines an Information Security Incident and the procedure to deal with reported security or data breaches. It applies to all Councillors and employees of Darley Dale

Town Council (The Council), contractual third parties and agents of the Council who have access to Information Systems or information used by the Council.

What is an Information Security Incident?

An information security incident occurs when data or information is transferred or is at risk of being transferred to somebody who is not entitled to receive it, or data is at risk from corruption. This can include:

- The loss or theft of data or information.
- The transfer or presentation of data or information to those who are not entitled to receive that information.
- Attempts (either failed or successful) to gain unauthorised access to data or information storage or a computer system.
- Changes to information or data made without the Council's knowledge, instruction, or consent.
- Unwanted disruption or denial of service to a system.
- The unauthorised use of a system for the processing or storage of data by any person.

When and how to report it

Any event that results in the actual or potential loss of data, breaches of confidentiality, unauthorised access or changes to systems should be reported to the Town Clerk (or Assistant Town Clerk if the Town Clerk is involved or unavailable) as soon as it is identified. You should provide:

- Contact details for the person reporting the incident.
- As much detail as possible on the data or information involved.
- Date, Time and location of the incident.
- Details of any devices or software affected.
- As much as is known about the circumstances surrounding the incident.

Investigating and assessing the incident

The Town Clerk will evaluate the available information and perform an initial assessment within 2 hours of the incident being reported. They will consider several factors, including the number of users affected, the duration of the incident, the geographical spread, the nature of the data, the extent of any disruption and the incident's potential impact.

There is no magic formula to determine this but incidents can broadly be categorised as **Minor incidents** - low impact, low sensitivity and able to be dealt with by the Clerk and the Council – or **Major incidents** – high impact, sensitive data with potential wide impact.

Examples of Minor Incidents

- The incident involves non-sensitive data about an individual or individual(s) which might reasonably be available elsewhere or already in the public domain. This could include email addresses, telephone numbers and postal addresses.
- The incident was accidental and involved innocent parties seeing information with no suggestion that they will use it maliciously. For example, other residents' email addresses being included in a wider distribution.
- Non-sensitive council data shared directly with individuals or groups – for example budgetary information or Council documents routinely published on our website or that could be seen on request by residents.

Examples of a Major Incidents

- Where personal data has been shared or compromised that is likely to result in a high risk to the rights and freedoms of individuals. For example, account login details, banking information or information of a sensitive nature which could be used for malicious purposes.
- Intentional sharing of data by a Councillor or employee for a purpose for which it was not intended.
- Confidential data that would not normally be available – for example personnel records.
- Any incident where criminal activity is suspected.

Action on Minor Incidents

Having established that a minor breach has occurred the Town Clerk will take any steps to limit the impact – for example by recalling unread emails containing the data or moving or deleting the files involved. They will notify any individual whose information has been compromised even where the impact is relatively low, apologising and explaining the circumstances and subsequent action. They will also review procedures to ensure there is no repeat. Lastly, they should notify the Chair and/or Vice-Chair.

Action on Major Incidents

Having established that a major breach has occurred the Town Clerk will take any steps to limit the impact – for example by changing passwords or moving or deleting the files involved. All Major incidents should be notified to the ICO within 72 hours of the initial report. They should also be reported to the Chief Officer at DALC who will agree any further action required. Where criminal activity is suspected a police report should be logged and a crime number obtained. The Clerk will notify all Councillors as a priority and issue regular updates until the incident is closed.

The Clerk will continue to work with the ICO, DALC and Police as appropriate until the incident is closed or resolved. A formal review of procedures involving the Chair, Vice-Chair and Clerk should be established as soon as practical and any recommendations implemented as soon as is practical.

Retention Of Documents Policy

Darley Dale Town Council recognises that the efficient management of its records is necessary to comply with its legal and regulatory obligations and to contribute to the effective overall management of the Town Council. This document provides the policy framework through which this effective management can be achieved and audited.

This policy applies to all records used to facilitate the business carried out by the Town Council and which are thereafter retained (for a set period) to provide evidence of its transactions or activities. Most of our records are created, received or maintained in digital format though some are printed and kept in hard copy format. A small percentage of the Town Council's records may be selected for permanent preservation as part of the Council's archives and for historical research.

Retention Schedule:

Under the Freedom of Information Act 2000, the Town Council is required to maintain a retention schedule setting out the length of time which the various types of record need to be retained and the action which should be taken when it is of no further administrative use.

series regardless of the media in which they are stored.

DOCUMENT	MINIMUM RETENTION	REASON
Approved Full Council and Committee Minutes	Indefinite	Archive
Annual Accounts	Indefinite	Archive
Annual Returns	Indefinite	Archive
Bank statements	6 years	Audit
Paid Invoices	6 years	Audit
VAT Claims	6 years	Audit
Salary records	6 years	Audit
Insurance Policies	1 year	While valid
Title Deeds, Leases, Agreements, Contracts	Indefinite	Management
Councillor Declaration of Acceptance of Office	Term of office plus 1 year	Management
Complaints	1 year	Management
Code of Conduct, Standing orders and other core documents	1 year	While valid

Note – We do not retain planning applications or consultation requests which are available on the Derbyshire Dales District Council Planning Portal. Consultation responses are recorded in the Planning Committee minutes. the Council minutes and are retained indefinitely.