

**OGBOURNE ST GEORGE PARISH COUNCIL  
FULL COUNCIL 10 MAY 2018**

**AGENDA ITEM: 14 - GENERAL DATA PROTECTION REGULATION UPDATE**

As reported to Council in March 2018 the General Data Protection Regulation (GDPR) will take effect in the UK from 25 May 2018. It replaces the existing law on data protection (the Data Protection Act 1988) and gives individuals more rights and protection regarding how their personal data is used by councils. Local councils and parish meetings must comply with its requirements, just like any other organisation.

The GDPR applies to all local councils because they are a public authority.

The GDPR's main concepts and principles are very similar to those contained in the current Data Protection Act 1998 and local councils will already be familiar with them.

A number of practical steps were communicated in March and are now in progress.

1. Put in place Privacy Notices and consent forms – for adoption at May 18 meeting
2. Adopt the relevant Data Protection Policies – for adoption at May 18 meeting
3. Information Audit – to consider and note at May 18 meeting
4. Laptop security and backups – confirmed by Microshade (see attached Cyperspace report)
5. Electronic files that are sensitive secured with password and personal information is kept safe
6. Councillors were advised of the changes and notified to work through the Clerk rather than deal with correspondence themselves
7. Councillors were recommended to have a separate email address for Council use - to avoid mixing personal, work and Council life which is where accidental forwarding of emails happens etc
8. Councillors were advised to password protect devices they use to pick up Council emails on and make sure they have security like antiviruses, firewall etc in place.
9. Council deferred making any decision on the appointment of the DPO

**Update on the appointment of a DPO**

NALC recently issued a statement on 18 April setting out the views from the Information Commissioner's Office on the particular challenges facing the local council sector regarding the regulatory changes. The ICO is working with NALC and SLCC to consider alternative solutions to the specific issue of appointing DPOs.

On Friday 27 April the Government has tabled an amendment to its own Data Protection Bill to exempt all parish and town councils and parish meetings in England and community and town councils in Wales from the requirement to appoint a Data Protection Officer under the GDPR.

NALC will continue discussions with government and the Information Commissioners Office will continue on this issue, as well as on providing support to the sector to help with data protection compliance more generally. It is vital that councils continue to prepare for compliance with the rest of the GDPR requirements as set out in NALC's GDPR toolkit.

## Recommendations:

1. This report and the recommendations should be adopted and reviewed as necessary.
2. The relevant policies and procedures adopted and reviewed as necessary:
  - a) Data Protection Policy
  - b) Privacy Policy – General
  - c) Privacy Policy – Staff and Councillors
  - d) Data Audit
  - e) Retention of Documents Policy
  - f) Data Breach Procedure
  - g) Consent Form – required for future use
3. The Clerk should review physical and digital data held and delete all out of date and redundant material.
4. The Clerk to review the Council's requirement as a Data Controller to register with the Information Commissioner's Office (ICO).
5. The Home page of the Parish Council's website should include the following privacy statement and privacy section with access to the relevant policies:

*If you contact Ogbourne St George Parish Council, the contact details you provide will be retained indefinitely for correspondence purposes. This data will not be used for any other purpose, will not be revealed to anyone else without your consent, and will be deleted on request. [Click here for a copy of the Parish Council's General Privacy Policy.](#)*

6. All emails sent from the Clerk or Parish Councillor with an OSG email address should include the following statement:

*This email may contain confidential information and may be privileged. If you are not the intended addressee you may not use, forward, copy or disclose any information contained in this message. If you have received this email in error, please advise the sender immediately and delete this email.*

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3<sup>rd</sup> May 2018