

Kidwelly Town Council Data Protection Policy Statement

1. The scope of this policy statement

- a. This policy statement sets out how Kidwelly Town Council implements the Data Protection Act 1998. This act was brought onto force on the 1st March 2000, entirely replacing the 1984 Act. Its scope was extended by the Freedom of Information Act 2000.
- b. Kidwelly Town Council collects and uses information about people with whom we deal. These people – collectively called ‘data subjects’ – include our own staff, users of our services, staff in other public bodies and a range of organisations as well as contractors and suppliers of various kinds. The information can be factual information, such as name address, or expressions of opinion about or intentions towards individuals. It can occur in any form or format - WORD documents, databases and spread sheets, email, CCTV, index cards, paper files.
- c. This policy statement applies to all personal data acquired, held and used by Kidwelly Town Council.

2. Background

- a. The Data Protection Act (DPA) came into force on the 1st March 2000. It supersedes and extends the provisions of the Data Protection Act 1984. The new Act implements a European Directive of 1995 and has two aims:
 - i. To protect individuals’ fundamental rights and freedoms, notably privacy rights, in respect of personal data processing
 - ii. To enable organisations to process personal information in the course of their legitimate business
- b. The Act applies to any processing of personal information. Processing includes virtually anything that can be done to information, including acquisition, storage and destruction as well as active use.
- c. Personal Information held by Kidwelly Town Council is subject to the Data Protection Act if it is recorded information and it relates to an identifiable living individual.
- d. Individuals have the right, upon written request, to be informed whether or not information about them is being processed by us; to be given a description of the information, the purpose and to whom it may be disclosed; and to be provided with the information in intelligible form. We have the right to charge a fee for this and will do so if to provide the information would cause an inordinate amount of work. The fee is set at £10 in the Data Protection Regulations.

- e. We are obliged to follow certain procedures and to comply with the eight Data Protection Principles unless the personal data is exempt. These Principles (which are set out in Schedule 1 of the Act) require that all personal information be handled as follows:

Principle 1 It shall be processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met

Principle 2 It shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes

Principle 3 It shall be adequate, relevant and not excessive in relation to the purpose or purposes for which it is processed

Principle 4 It shall be accurate and, where relevant, kept up to date

Principle 5 it shall not be kept for longer than is necessary for that purpose or those purposes

Principle 6 It shall be processed in accordance with the rights of data subjects under the Act

Principle 7 Appropriate technical and organizational measures shall be taken against unauthorized or unlawful processing of personal data and against accidental loss and destruction of, and damage of, or damage to, personal data

Principle 8 It shall not be transferred to any country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data

3 Kidwelly Town Council's commitment to data protection

- a. We are committed to whole-hearted compliance with the Data Protection Act 1998. We regard responsible handling of personal information as a fundamental obligation and one that is keeping with our role as a leader in information, records and archives community. To this end we endorse and adhere to the Data Protection Principles set out above.
- b. Staff of Kidwelly Town Council are expected to do whatever is necessary to ensure compliance with the Data Protection Act 1998, and in particular follow our Data Protection Procedures.