

# **LOWER SEVERN (2005) INTERNAL DRAINAGE BOARD**

## **REVISED DATA PROTECTION POLICY**

### **Introduction**

The Data Protection Act 1998 (“the Act”) is designed to cover the collecting, storing, processing and distribution of personal data. It gives rights to individuals about whom information is recorded. This applies to all individuals whether they are employees, Board members, ratepayers or other customers, suppliers or members of the public.

### **Policy Statement**

In order to meet its legal obligations and to operate effectively the Lower Severn (2005) Internal Drainage Board (“the Board”) needs to collect, maintain and use certain personal information about current and past employees, Members, ratepayers and other customers, suppliers and others with whom it has dealings. All such personal information, whether held on paper, computer or other format will be obtained, handled, processed, transported and stored lawfully and correctly in accordance with the Act.

The Board will aim to ensure that all employees and others who have access to any information held are fully aware of and abide by their duties and responsibilities under the Act.

The Board recognises that personal information is confidential and that unauthorised disclosure is a criminal offence under the Act.

### **Data Protection Principles**

The Board is committed to the 8 principles contained in the Act. These require that personal information must:

- Be fairly and lawfully processed and not processed unless specific conditions are met;
- Be obtained for one or more specified, lawful purposes and not processed in any manner incompatible with those purposes;
- Be adequate, relevant and not excessive for those purposes;
- Be accurate and, where necessary, kept up to date;
- Not be kept for longer than is necessary;
- Be processed in accordance with the data subject’s rights under the DPA;
- Be kept secure from unauthorised or unlawful processing and protected against accidental loss, destruction or damage; and

- Not be transferred to countries outside the European Economic Area (EEA) unless the country or territory ensures adequate protection for the rights and freedoms of the data subjects.

## **Compliance with the Data Protection Principles**

In order to comply with the data protection principles, the Board will:

- Observe fully all conditions regarding the fair collection and use of personal information;
- Meet its legal obligations to specify the purpose for which information is used;
- Collect and process appropriate personal information only to the extent that it is needed to fulfil operational needs or to comply with legal obligations;
- Ensure the quality of the personal information used;
- Apply strict checks to determine the length of time personal information is held;
- Ensure that individuals about whom information is held are able to exercise their rights under the Act, including the right to be informed that processing is taking place, the right of access to their own personal information, the right to prevent processing in certain circumstances and the right to correct, rectify, block or erase incorrect information;
- Take appropriate technical and organisational security measures to safeguard personal information; and
- Ensure that personal information is not transferred outside the EEA without suitable safeguards.

## **Responsibilities**

- The Board is the “Data Controller” for the purposes of the Act. However, day to day responsibility for ensuring that the Board complies with its data protection obligations rests with the Clerk.
- It is the responsibility of all employees to ensure that personal information provided to the Board, for example current address, is accurate and up to date. To this end employees are required to inform the Board immediately when changes occur.
- Employees whose role involves the collection, maintenance and processing of personal information about other employees, ratepayers, customers, suppliers or any other individuals with whom the Board has dealings are responsible for following the Boards rules on good data protection practise as notified from time to time.

## **Access to Information**

Anyone who is the subject of personal information held by the Board has the right to make a subject access request. Those who wish to exercise this right should write to the Clerk. The Board reserves the right to charge £10 for responding to such requests. If, as a result of a subject access request, any personal information is found to be incorrect, it will be amended.

The Board will deal promptly and in a courteous manner with subject access requests and will normally respond within 40 days. If there is a reason for delay, the person making the request will be informed accordingly.

### **Breach of the Policy**

Breach of this policy by an employee will be regarded as a disciplinary offence and will be dealt with under the Board's formal discipline procedure.

Employees who consider that there has been a breach of this policy in relation to personal information about them held by the Board should raise the matter via the Board's formal grievance procedure.

### **Review**

The Board will periodically review the management of personal information and will update its policy and procedures appropriately.