

WINGHAM PARISH COUNCIL

GENERAL DATA PROTECTION REGULATION

STATEMENT

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 1998) 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 underlying principles of GDPR are that personal data:

- a) Must be processed lawfully, fairly and transparently;
- b) Is only used for a specific processing purpose that the data subject has been made aware of and no other, without further consent;
- c) Should be adequate, relevant and limited i.e. only the minimum amount of data should be kept for specific processing;
- d) Must be accurate and kept up to date;
- e) Should not be stored for longer than is necessary and that storage is safe and secure;
- f) Should be processed in a manner that ensures appropriate security and protection.

A statement issued by the Information Commissioners Office (ICO) in April 2018 (PB01-18), read "...GDPR is a journey rather than a destination. She [*the commissioner*] will be looking to councils to demonstrate that they are committed to making progress towards embedding the right processes and procedures. She wants to reassure councils that if they have a positive attitude to finding practical solutions to some of the challenges of implementation, they will find a pragmatic, fair and proportionate regulator."

Working with our County (KALC) and National (NALC) Associations, and taking account of advice and information from the ICO, Wingham Parish Council are taking steps to ensure compliance with the new regulation. At the Annual Meeting on Monday 14 May 2018, Councillor Young was appointed as the Council's lead on GDPR and she will be working closely with the clerk and other councillors to create an action plan for the council to follow in the coming months.

Data Protection Officer (DPO): On 25 April 2018, the Government tabled an amendment to its Data Protection Bill to exempt all Parish and town Councils and Parish meetings from the requirement to appoint a DPO under GDPR. On 9 May 2018, MPs accepted the government's amendment to exempt all parish and town councils and parish meetings in England from the requirement to appoint a DPO under the GDPR. It now goes back to the House of Lords to consider the amendments made during the House of Commons stages, though the amendment is not expected to be reversed. If it does get voted through, then appointing a DPO to support the Council's approach to data protection would be discretionary and may be regarded as good practice. However, all the other GDPR requirements would still apply.

Wingham Parish Council do not, at this time, intend to appoint a DPO but are committed to meeting all other GDPR requirements.

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