



Wells City Council

DATA PROTECTION POLICY **Document No. 12**

Purpose	Guidance to both Councillors and Staff in the management of data protection
Additional Papers	This document should be read in conjunction with: Document 1 Standing Orders
Reviewed by	Finance
Adopted	October 2014 Updated October 2015 Reviewed February 2017
Review Date	

DATA PROTECTION POLICY

Data Protection Act

The Town Clerk shall be the appropriate officer to act in all respects as the Council's Data Protection Officer within the meaning of the Data Protection Act 1984 and any other subsequent related legislation.

The Data Protection Officer shall have access to all relevant documentation and receive sufficient information to enable registration to be kept up to date and to fully satisfy the principles prescribed in the legislation.

The Data Protection Officer should be consulted prior to releasing personal data or disposing of computer generated output which contains personal data.

All employees are required to exercise due care at all times when operating terminals etc to prevent personal data being improperly relayed or disclosed.

Freedom of Information Act

Procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998:

All Freedom of Information requests received by the Council are to be referred immediately to the Town Clerk (or to the RFO in the absence of the Town Clerk) for response within the requirements of the relevant legislation. Requests are recorded in the computer file held for the purpose. The aim is to make an initial reply to all such requests within a week; further information is sent within the statutory time allowed. The information sent is stored in the file with the request.

It is the policy of the Council to be as helpful as possible to all enquirers. Where the Council is not the primary source of the data sought, the enquirer will be directed to the data owner.

Where the data requested is not held by the Council a reply will be sent to that effect.

Where the data is held, the reply sent will be as accurate but as concise as possible.

It will be considered at all times that the duty to provide information must be balanced with other duties, primarily the protection of Sensitive Data.

The Council produces a publications scheme and schedule of charges.

Information Technology

The RFO has overall responsibility for the Council's Information Technology strategy, which will be updated annually in time for inclusion in the budgetary process and shall be subject to the approval of the Council.

RECORDS POLICY

Retention and Disposal of Records

The Council's policy for the retention and disposal of all records and documents shall be in accordance with legislative requirements; in respect of all matters, pertaining generally to contracts, taxes, land and property.

For records and documents not governed by legislation the RFO shall have overall responsibility to ensure that retention periods are compatible with the reasonable requirements of audit.

For all other records and documents not governed by legislation the Town Clerk shall have responsibility to ensure that paper retention is kept to a minimum where possible, having due regard to the needs of the future administration of the Council.

Detailed arrangements for the disposal of records and documents are to be supervised by appropriate officers who shall ensure that the above requirements are met. In addition that the Data Protection Principle relating to retention and disposal of records containing personal data is upheld and also that records which contain confidential information are disposed of in a secure and controlled manner.

Prior to disposal, the City Archivist shall have discretion to select appropriate material of historic interest, for retention in the City Archive. (see Archivist's schedule)

The Town Clerk and RFO shall implement a policy of electronic storage and back-up of council data following the principles outlined above.

(See Council Risk Assessment / storage of electronic data /cloud-hosting with back-up).

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