

Clerks report May 2018

General Data Protection Regulations May 2018 Update from Legal Team NALC

1. 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 (DPO) under the General Data Protection Regulation.
2. However 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.

Preparing for the General Data Protection Regulations (GDPR)

Checklist from the ICO website steps to take now

Awareness - talk to your council about the coming changes to the law and the impact it may have – [Clerk to issue guidance to all councillors prior to 25th May 2018](#)

Information your council holds - document what personal data your council holds, where it came from and who you share it with, this may be called an information audit – **action plan completed**

Privacy Information - review your current privacy notices (i.e. what you explain when you ask the public for personal information i.e. names, emails, addresses, photos) – **privacy notice for website and compliance statement completed**

Individual's rights - check your council's procedures to ensure that they cover all the rights that individuals have, including policies for deleting personal data – **completed data policy**

Update your procedures for answering subject access requests within the new timescales (1 month not 40 days) – **completed data policy**

You should identify the lawful basis for processing personal data – **completed data policy.**

Consent - review how you seek, record and manage consent. Remember under GDPR consent must be freely given, specific, informed and unambiguous. There must be a positive opt-in – [Clerk to contact and issue all service providers with new consent forms](#)

Data Breaches - make sure you have the right systems in place to report and investigate personal data breaches – **completed data protection policy**

Register with Information Commissioners Office (ICO). There is a charge of £35 for registration - **completed**

Ensure data currently held is at a minimum and appropriate – [Clerk to archive data and hold the minimum in the locked filing cabinet. All information on laptop is password protected and back up held on external hard drive in locked cabinet](#)

It is envisaged that the Clerk will have to undertake some additional hours in order to ensure compliance by 25th May 2018.

Recommendation that the council resolves to pay the Clerk additional hours to achieve compliance up to a maximum of 8 hours.