

**MINUTES of the Data Protection Working Party of Melksham Without Parish Council held on Tuesday 21<sup>st</sup> November, 2017 at Crown Chambers, Melksham at 7.00p.m.**

**Present:** Cllrs. Terry Chivers and Jo Pattison

Officers: Teresa Strange (Clerk) and Marianne Rossi (Apprentice Parish Officer).

320/17 **Apologies:** Cllr. Paul Taylor

321/17 **Declarations of Interest:** None.

322/17 **Dispensation Requests:** None.

323/17 **Public Participation:** There were no members of the public present.

324/17 **Registration of Data Controller:**

It was noted that the Council has just renewed their annual registration as a data controller. The Clerk explained that anyone who processes information must be registered as a data controller under a legal obligation.

The Clerk advised that at a recent training session held at Wiltshire Council, they advised that they did not believe that individual councillors were data controllers but this had recently been challenged by the ICO (Information Commissioners' Office). Any future decision on this, would presumably affect councillors at parish level too.

325/17 **Local authorities fined for breaching data protection article:** This article from the "Public Sector Executive" was noted, which detailed fines for such high values as £70,000 for failing to keep information on a parking ticket website secure, and £150,000 and £100,000 for councils that exposed employee's details to hackers following cyber attacks.

326/17 **SLCC (Society of Local Council Clerks) advice on Council Minutes:** The advice from the SLCC regarding Council meeting minutes was noted. The Clerk identified that at Council meetings such as Planning Committees, members of the public who speak in public participation are asked for their name and where they live. This is used for the Council to put into context where that individual lives especially when discussing planning applications. The Clerk explained that when minutes are produced members of the public names and addresses are not detailed.

327/17 **NALC (National Association of Local Councils) Legal Briefings on new General Data Protection Regulations (GDPR):** The working party noted the NALC legal briefings on the new GDPR EU Directive coming into effect on 25<sup>th</sup> May 2018 and the forthcoming Data Protection Bill announced at the opening of Parliament in June 2017 which will repeal the current Data Protection Act 1998. The purpose of the GDPR is to increase (i) the obligations on organisations when acting as data controllers and (ii) the rights of individuals to ensure that their personal data is

respected and used only for legitimate purposes. It also imposes new obligations on data processors.

328/17 **Preparing for the GDPR:** The members of the working party worked through the “12 steps to take now” checklist provided by the ICO which highlighted the steps that need to be taken now to prepare for the new regulations coming in May next year. The working party drew up a list of actions with some work to be done internally with regards to data audits etc, which the Apprentice Parish Officer was to take the lead on as a new project. Other actions that related to the local government sector as a whole, were to be taken up by the Clerk when attending the SLCC Regional Seminar later in the week.

329/17 **Parish Council’s Model Publication scheme:** The members reviewed the Parish Council’s current Model Publication scheme that is a requirement under the current Freedom of Information Act. **Recommendation:** *The Council adopt the revised Model Publication Scheme.*

Meeting closed at 10.15pm

Chairman, 11<sup>th</sup> December, 2017