

AGENDA PACK
Finance, Legal and Administration committee
Tuesday 24th April 2018

To: Members of the Finance, Legal and Administration Committee (FLAC)

You are hereby summoned to attend a Committee meeting

To be held in the Village Hall, Recreation ground, Lambs Land, Cottenham on:

Tuesday 24th April 2018 at 7.30pm

AGENDA

All Parish Council Meetings are open to the Public and Press

18F/204. Chairman's Introduction and Apologies for absence – *(Schedule 12 of the Local Government Act 1972 requires a record to be kept of the members present and that this record form part of the minutes of the meeting. Members who cannot attend a meeting should tender apologies to the Parish Clerk as it is usual for the grounds upon which apologies are tendered also to be recorded. Under Section 85(1) of the Local Government Act 1972, members present must decide whether the reason(s) for a member's absence are accepted.*

18F/205. To accept Declarations of Interest and Dispensations – *i. To receive disclosures of pecuniary and other interests from Councillors on matters to be considered at the meeting. ii. To receive written requests for dispensation. iii. To grant requests for dispensation as appropriate. (NB this does not preclude any later declarations).*

18F/206. Minutes – To resolve that the minutes (circulated to members) of the Finance Committee meeting held on Thursday 29th March 2018 be signed as a correct record.

18F/207. Public Participation – Standing Orders to be suspended – *Public question time is dealt with prior to the start of the meeting and doesn't form part of the formal business of the Council. Time is limited to 30 minutes and each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than 3 minutes to allow other people to also speak without the public session exceeding its allotted time. Questions not answered at this meeting will be answered in writing to the person asking the question or may appear as an agenda item for the next meeting. Photographing, recording, broadcasting, or transmitting the proceedings of a meeting by any means is permitted. A person may not orally report or comment about a meeting as it takes place if he is present at the meeting of a parish council or its committees but otherwise may film, photograph or make an audio recording of a meeting; use any other means for enabling persons not present to see or hear proceedings at a meeting of the parish council as it takes place or later; report or comment on the proceedings in writing during or after a meeting or orally report or comment after the meeting. However, anyone wishing to do so must speak to the clerk prior to the meeting as there is a policy which must be followed.*

18F/208. Review of monthly management accounts (to 31st March 2018) – RFO

18F/209. Review of monthly bank reconciliation (to 31st March 2018) – Cllr Morris & RFO

18F/210. Authorise payment to Cambridgeshire County Council Invoice number 10785874 for £1129.85 for street lighting energy costs – RFO

18F/211. Authorise payment to Travis Perkins Invoice number 9271 for £40.62 + VAT total £48.74 for wood paint and brushes – RFO

18F/212. Authorise payment to Wilby and Burnett Invoice number 12875/3202 for £3825.00 + VAT total £4590.00 for Architectural services in preparation of planning pre-application -RFO

18F/213. Authorise payment to Birketts Invoice number 180169.00003 for £825.00 + VAT total £990 for professional advice re planning North East of Rampton Road - RFO

18F/214. Inspections of fixed assets – Cllr Collinson

18F/215. Consider draft of Grants and Donations policy – Cllr Morris

18F/216. Consider Document Retention policy – RFO

18F/217. Consider General Privacy policy – RFO

18F/218. Consider Information and Data Protection Policy – RFO

18F/219. Consider Councillor Privacy Notice – RFO

18F/220. Consider Hirers Privacy Notice – RFO

18F/221. Consider Grant Application Privacy Notice – RFO

18F/222. Consider General Data Protection Regulations (service) Consent to hold contact information – RFO

18F/223. Consider named person for the role of Data Controller – RFO

18F/224. Consider new model Standing Orders from NALC (April 2018) – RFO

18F/225. Consider insurance implications in line with new data protection rules – Cllr Bolitho

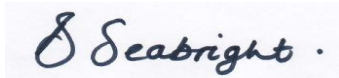
18F/226. Review report from the Internal Audit - RFO

18F/227. Matters for consideration at the next meeting

- Review of monthly management accounts (to 30th April 2018)
- Review of monthly bank reconciliation (to 30th April 2018)

18F/228. Date of next meeting – Thursday 24th May 2018 (at the Village Hall)

18F/229. Close of meeting –



Debbie Seabright – RFO

17/04/18

Right Side Entrance, Community Centre

250a High Street, Cottenham, Cambridge, CB24 8RZ Tel: 07503 328401 Email: rfocottenhampc@gmail.com

18F/206.

DRAFT MINUTES of FLAC Meeting

Held at the Village Hall, Lambs Lane, Cottenham:

On Thursday 29th March 2018

Present: Cllrs: McCarthy Collinson, Smith, Wilson, RFO

18F/190. Chairman's introductions and Apologies – Cllrs Young (Work), Smith (Work)

18F/191. To accept Declarations of interest and Dispensations

To receive disclosures of pecuniary and non-pecuniary interests from Councillors on matters to be considered at the meeting – Cllr Collinson has a pecuniary interest re items 18F/183 and 18F/184. *The disclosure must include the nature of the interest. If you become aware, during the course of a meeting, of an interest that has not been disclosed under this item you must immediately disclose it. You may remain in the meeting and take part fully in discussion and voting unless the interest is pecuniary. An interest is pecuniary if a member of the public with knowledge of the relevant facts would reasonably regard it as so significant that it is likely to prejudice your judgement of the public interest and it relates to a financial or regulatory matter* – Cllr Collinson declared a pecuniary interest in items 18F/200 and left the room whilst these items were discussed.

18F/192. Minutes - Small spelling amendment in item 18F/186 from License to Licence. Resolution that the minutes from the committee meeting held on Monday 26th February be signed as a correct record. – **RESOLVED**

18F/193. Public Participation – Standing Orders to be suspended - *Public question time is dealt with prior to the start of the meeting and doesn't form part of the formal business of the Council. Time is limited to 30 minutes and each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than 3 minutes in order to allow other people to also speak without the public session exceeding its allotted time. NB: Councillors will not be able to respond on items on the agenda but will take notice of the views put forward – No members of the public present.*

18F/194. Review of monthly management accounts (to 28th February 2018) - The committee reviewed the accounts and were satisfied that the management accounts are an accurate record.

18F/195. Review of Bank Reconciliation to the end of February 2018 – The RFO and Cllr McCarthy completed a bank reconciliation earlier on in the month (20th March 2018). The committee were satisfied with the report given, the committee requested a brief description of what the creditors and debtors owe money for.

18F/196. Prepare for end of year accounts – FLAC recommends that we approve the creation of a £400,000 Capital Fund (CF) by viring necessary funds from the s106 Community Facility Reserve, other reserve and current surplus - **RESOLVED**

18F/197. Consider the Cottenham Library grant application for the annual summer reading challenge – The library has applied for a grant of £200 to fund the summer reading challenge for approximately 84 children. The committee considered the application and agreed that it is compliant with our financial regulations under item 16.2. The grant cannot be given for staff costs but can support workshops and material items. To go to full council for consideration.

18F/198. Consider draft of the grants/donations policy – deferred

18F/199. Review the risk register in line with new data protection rules – The committee considered amendments to our risk register. Item PM7 – Fidelity cover, is now amended to one million pounds in line with our insurance cover. Item SCP18 – injury caused by CPC trees – we have added that we are in the process of preparing a tree survey. Item CPA17 – Loss or Misuse of data – to add review of current procedures, councillor and staff awareness, information permissions from clients, Purging of unnecessary data.

18F/200. Feedback from RFO re grant to fund a 'Power House Games' at Cottenham Primary School – We are unable to offer a grant for a 'Power House Games' as the request does not fall within our rules.

18F/201. Matters for consideration at the next meeting.

- Review of monthly management accounts (to 31st March 18)
- Review of monthly bank reconciliation (to 31st March 18)
- Consider insurance implications in line with new data protection rules – Cllr Bolitho
- Inspections of fixed assets – Cllr Collinson
- Grants and Donations policy

18F/202. Date of next meeting – Tuesday 24th April 2018

18F/203. Close of meeting – 8.50

Signed _____ (Chair) Date _____

18F/208.

Management accounts sent out separately.

18F/209.

Bank reconciliation

Reconciled on 17th April 2018 by RFO and Cllr Morris

Council's Bank Accounts were reconciled to our Sage system and are in order.

In summary:

£697,071.79	Cash at Bank (as of the 31 st March 2018)
- £14,743.97	Creditors
+ £7639.20	Debtors
£689,967.02	Net balance on bank reconciliation

+ VAT owed £1313

Minus: £80,642 Accruals

Minus: £731 PAYE

Minus: £4500 CLT (Suspense Account)

Net assets: £605,407.02

Creditors

- AJ King - £3920
- Anglian Water - £153.34
- Argenta tree surgery - £521.40
- Birketts - £990
- Bridgeman Maintenance - £285
- Browns of Burwell - £1322.58
- BCS - £67.20
- Calor Gas - £591.78
- SCDC - £1129.85
- CB Creative - £468
- Chubb - £925.75
- CSA - £47.88
- CUSSC - £1080
- RFO- £9.97
- Green & Purple - £60
- Clerk - £2.58
- John Slater - £420
- MD Contractors - £360
- Nick West - £1589.63
- Assistant Clerk - £9.99
- Southern Electric - £549.19
- Staples - £124.56
- Travis Perkins - £115.27

TOTAL £14,743.97

Debtors

- Baby Clinic - £124.20
- Cottenham Bowls Club - £180
- Cottenham Colts - £1993.20
- Cottenham Community Land Trust - £90
- Cottenham United Football Club - £1680
- CUSSC - £3120
- Aerobic instructor - £110.40
- Village Hall Hire - £90
- Overpower fitness - £86.40
- SCDC - £165

TOTAL £7639.20

Draft Document Retention policy



COTTENHAM PARISH COUNCIL DOCUMENT RETENTION, ARCHIVE AND DESTRUCTION POLICY

OBJECTIVES

- To meet requirements under the Data Protection, Freedom of Information Act and Human Rights legislation
- To prevent premature destruction of records that need to be retained for a specified period to satisfy legal, financial and other requirements
- To provide consistency in the destruction of records

DESTRUCTION

- Backup copies stored on alternative media must be destroyed at the same time
- Information held in more than one media, including the website, should be destroyed at the same time
- Whenever there is a possibility of litigation, the records and information should not be amended or disposed of until the threat of litigation has been removed
- Confidential or sensitive data **must** be shredded. All other documents should also be shredded.
- Records which are duplicated, unimportant or only of a short-term value should be destroyed in the normal course of business

RETENTION

- Records for permanent retention should be transferred to the Records Office or held by solicitors as appropriate.

TYPE OF RECORD	MINIMUM RETENTION PERIOD	REASON
FINANCIAL RECORDS		
Receipts and Payment Ledger/spreadsheets	Indefinitely.	Archive
Receipt books of all kind	6 years	VAT
Paid Invoices	6 years	Retain for VAT purposes. Limitation Act 1980 (as amended)
Bank Reconciliation	Quarterly statement kept with minutes	Minute record
Bank Statements	Last completed audit year	Audit
Bank paying-in books	Last completed audit year	Audit
Cheque book stubs	Last completed audit year	Audit
Cheque lists	Last completed audit year	Consistency
Returned/cancelled cheques	Last completed audit year	Consistency

VAT records	6 years	VAT
Budget	6 years (electronic/hard copies filed within minutes)	Reference
Quotations and tenders	6 years	Limitation Act 1980 (as amended)
Audited Annual Return	Indefinitely	Archive as per External Auditors
Other Audit documentation incl. correspondence	6 years	As per External Auditors
Investments	Indefinite	Audit, Management
Scales of fees and charges	5 years	Management
INSURANCE RECORDS		
Certificate of Employers' Liability Insurance	40 years from date on which insurance commenced or was renewed	Although no longer a legal requirement the insurers/legal advisers say 40 years still advisable.
Insurance Documentation including policies	3 years	To cover any claims under Public Liability Insurance, as per insurers. A permanent record of insurance company names and policy numbers to be retained.
Insurance Claims (public/employer's liability)	6 years	Recorded information
PAYROLL RECORDS		
Payslips/expenses	6 years	Tax
Tax and NI Records (including P11 and P35)	4 years	Tax claims
Tax code notifications	6 years	Consistency
Timesheets/Overtime Records	Last completed audit year	Audit
PERSONNEL ADMINISTRATION		
Employee letters of appointment	6 years after departure from employment	Consistency
Employee contracts	6 years after departure from employment	Consistency
All other records	6 years after departure from employment	Consistency
RECRUITMENT		
Selection of an individual/interview record	1 year	Reference
Unsuccessful Applicants' Employment Application forms/references	1 year	Reference
PLANNING DOCUMENTS		
Planning Applications	6 months after the Planning Authority decision made	Reference
Planning Application lists	Retain indefinitely	Historical reference
Hand written responses from Councillors/Planning Committee members to planning applications	Destroy 6 months after the Planning Authority decision made, if a meeting was not held to discuss the application	Reference
Planning decision slips	6 months after Planning Authority decision	Reference
Appeal decision slips	6 months after Planning Authority decision	Historical reference

Structure Plans, Local Plans and similar documents	To be retained as long as they are in force	Reference
LEGAL DOCUMENTATION		
Deeds, conveyances and other legal documentation relating to ownership ie Title Deeds and leases.	Indefinitely	Audit, Management. Limitation Act 1980. Lodged with Solicitors
Trust deeds and schemes	Indefinitely	Audit, Management. Limitation Act 1980. Lodged with Solicitors
Contracts not executed as a Deed	6 years	Limitation Act 1980 (as amended)
Any documentation which may be subject to legal action. (Where item falls into more than one category retain for longest period stated)	Retain until the threat of litigation has been removed. Minimum periods for retention: Negligence – 6 yrs; Defamation – 1 yr; Sums recoverable by statute – 6 yrs; Personal injury – 3 yrs; to recover land – 12 yrs; rent – 6 years.	Limitation Act 1980 (as amended)
ADMINISTRATION RECORDS		
Draft documents	Destroy once the final version of the document has been approved, unless required as a record of the development of a policy initiative	Management
Hand written notes taken by clerk with a view to producing minutes	Destroy once the minutes have been approved as correct and a true record	For clarification at following meeting
Approved Minutes	Indefinitely	Archive
Reports	6 years after closure of file	Consistency
Back up tapes/records	Rotate to eliminate storing of materials which should have been destroyed	Management
Asset Register	Current and last completed audit version	Audit and Management
Correspondence/General Admin files (see Historical Records below)	6 years (see correspondence kept for legal purposes above) Records which are duplicated, unimportant or only of a short-term value should be destroyed in the normal course of business	Management
Emails	To be dealt with in the same way as manual records. Destroy routine/trivial emails and those where hard copies have been taken	Management
Historical Records (manual and electronically held)	Archive after 30 years. (Files to be closed after 5 year)	Public Records Act 1958. Archive
Personal Data	Kept for no longer than is necessary for the purpose for which it is held	Data Protection Act
Register of Members' Interests	Whilst a member	Publication Scheme
Risk Assessment	Information retained	Reference
Complaints	3 years	Reference
FOI Disclosure log	Destroy each record 5 years after record is opened	Management
Details of Request made under FOI Act	Destroy as above	Management
Disposal Schedules	Indefinitely	Management

Information from other bodies i.e. County Associations, NALC and other numerous bodies	Retain for as long as useful and relevant	Management
Magazines and Journals	Any published works in print as defined by the Legal Deposit Libraries Act 2003, are to be delivered to the British Library Board. Items published by other bodies to be retained as long as useful and relevant	Management

Draft General Privacy policy



General Privacy Policy

Your personal data – what is it?

“Personal data” is any information about a living individual which allows them to be identified from that data (for example a name, photographs, videos, email address, or address). Identification can be directly using the data itself or by combining it with other information which helps to identify a living individual (e.g. a list of staff may contain personnel ID numbers rather than names but if you use a separate list of the ID numbers which give the corresponding names to identify the staff in the first list then the first list will also be treated as personal data). The processing of personal data is governed by legislation relating to personal data which applies in the United Kingdom including the General Data Protection Regulation (the “GDPR”) and other legislation relating to personal data and rights such as the Human Rights Act.

Who are we?

This Privacy Notice is provided to you by Cottenham Parish Council which is the data controller for your data.

Other data controllers the council works with:

- Other data controllers, such as local authorities
- Community groups
- Charities
- Other not for profit entities
- Contractors
- Credit reference agencies

We may need to share your personal data we hold with them so that they can carry out their responsibilities to the council. If we and the other data controllers listed above are processing your data jointly for the same purposes, then the council and the other data controllers may be “joint data controllers” which mean we are all collectively responsible to you for your data. Where each of the parties listed above are processing your data for their own independent purposes then each of us will be independently responsible to you and if you have any questions, wish to exercise any of your rights (see below) or wish to raise a complaint, you should do so directly to the relevant data controller. A description of what personal data the council processes and for what purposes is set out in this Privacy Notice.

The council will process some or all of the following personal data where necessary to perform its tasks:

- Names, titles, and aliases, photographs;
- Contact details such as telephone numbers, addresses, and email addresses;
- Where they are relevant to the services provided by a council, or where you provide them to us, we may process information such as gender, age, marital status, nationality, education/work history, academic/professional qualifications, hobbies, family composition, and dependants;
- Where you pay for activities such as use of a council hall, financial identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers, and claim numbers;
- The personal data we process may include sensitive or other special categories of personal data such as criminal convictions, racial or ethnic origin, mental and physical health, details of

injuries, medication/treatment received, political beliefs, trade union affiliation, genetic data, biometric data, data concerning and sexual life or orientation.

How we use sensitive personal data

- We may process sensitive personal data including, as appropriate:
 - your racial or ethnic origin or religious or similar information in order to monitor compliance with equal opportunities legislation;
 - in order to comply with legal requirements and obligations to third parties.
- These types of data are described in the GDPR as “Special categories of data” and require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal data.
- We may process special categories of personal data in the following circumstances:
 - In limited circumstances, with your explicit written consent.
 - Where we need to carry out our legal obligations.
 - Where it is needed in the public interest.
- Less commonly, we may process this type of personal data where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.

Do we need your consent to process your sensitive personal data?

- In limited circumstances, we may approach you for your written consent to allow us to process certain sensitive personal data. If we do so, we will provide you with full details of the personal data that we would like and the reason we need it, so that you can carefully consider whether you wish to consent.

The council will comply with data protection law. This says that the personal data we hold about you must be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept and destroyed securely including ensuring that appropriate technical and security measures are in place to protect your personal data to protect personal data from loss, misuse, unauthorised access and disclosure.

We use your personal data for some or all of the following purposes:

- To deliver public services including to understand your needs to provide the services that you request and to understand what we can do for you and inform you of other relevant services;
- To confirm your identity to provide some services;
- To contact you by post, email, telephone or using social media (e.g., Facebook, Twitter, WhatsApp);
- To help us to build up a picture of how we are performing;
- To prevent and detect fraud and corruption in the use of public funds and where necessary for the law enforcement functions;
- To enable us to meet all legal and statutory obligations and powers including any delegated functions;
- To carry out comprehensive safeguarding procedures (including due diligence and complaints handling) in accordance with best safeguarding practice from time to time with the aim of ensuring that all children and adults-at-risk are provided with safe environments and generally as necessary to protect individuals from harm or injury;
- To promote the interests of the council;

- To maintain our own accounts and records;
- To seek your views, opinions or comments;
- To notify you of changes to our facilities, services, events and staff, councillors and other role holders;
- To send you communications which you have requested and that may be of interest to you. These may include information about campaigns, appeals, other new projects or initiatives;
- To process relevant financial transactions including grants and payments for goods and services supplied to the council
- To allow the statistical analysis of data so we can plan the provision of services.

Our processing may also include the use of CCTV systems for the prevention and prosecution of crime.

What is the legal basis for processing your personal data?

The council is a public authority and has certain powers and obligations. Most of your personal data is processed for compliance with a legal obligation which includes the discharge of the council's statutory functions and powers. Sometimes when exercising these powers or duties it is necessary to process personal data of residents or people using the council's services. We will always take into account your interests and rights. This Privacy Notice sets out your rights and the council's obligations to you.

We may process personal data if it is necessary for the performance of a contract with you, or to take steps to enter into a contract. An example of this would be processing your data in connection with the use of sports facilities, or hiring facilities.

Sometimes the use of your personal data requires your consent. We will first obtain your consent to that use.

Sharing your personal data

This section provides information about the third parties with whom the council may share your personal data. These third parties have an obligation to put in place appropriate security measures and will be responsible to you directly for the manner in which they process and protect your personal data. It is likely that we will need to share your data with some or all of the following (but only where necessary):

- The data controllers listed above under the heading "Other data controllers the council works with";
- Our agents, suppliers and contractors. For example, we may ask a commercial provider to publish or distribute newsletters on our behalf, or to maintain our database software;
- On occasion, other local authorities or not for profit bodies with which we are carrying out joint ventures e.g. in relation to facilities or events for the community.

How long do we keep your personal data?

We will keep some records permanently if we are legally required to do so. We may keep some other records for an extended period of time. For example, it is currently best practice to keep financial records for a minimum period of 8 years to support HMRC audits or provide tax information. We may have legal obligations to retain some data in connection with our statutory obligations as a public authority. The council is permitted to retain data in order to defend or pursue claims. In some cases the law imposes a time limit for such claims (for example 3 years for personal injury claims or 6 years for contract claims). We will retain some personal data for this purpose as long as we believe it is necessary to be able to defend or pursue a claim. In general, we will endeavour to keep data only for as long as we need it. This means that we will delete it when it is no longer needed.

Your rights and your personal data

You have the following rights with respect to your personal data:

When exercising any of the rights listed below, in order to process your request, we may need to verify your identity for your security. In such cases we will need you to respond with proof of your identity before you can exercise these rights.

1) *The right to access personal data we hold on you*

- At any point you can contact us to request the personal data we hold on you as well as why we have that personal data, who has access to the personal data and where we obtained the personal data from. Once we have received your request we will respond within one month.
- There are no fees or charges for the first request but additional requests for the same personal data or requests which are manifestly unfounded or excessive may be subject to an administrative fee.

2) *The right to correct and update the personal data we hold on you*

- If the data we hold on you is out of date, incomplete or incorrect, you can inform us and your data will be updated.

3) *The right to have your personal data erased*

- If you feel that we should no longer be using your personal data or that we are unlawfully using your personal data, you can request that we erase the personal data we hold.
- When we receive your request we will confirm whether the personal data has been deleted or the reason why it cannot be deleted (for example because we need it for to comply with a legal obligation).

4) *The right to object to processing of your personal data or to restrict it to certain purposes only*

- You have the right to request that we stop processing your personal data or ask us to restrict processing. Upon receiving the request we will contact you and let you know if we are able to comply or if we have a legal obligation to continue to process your data.

5) *The right to data portability*

- You have the right to request that we transfer some of your data to another controller. We will comply with your request, where it is feasible to do so, within one month of receiving your request.

6) *The right to withdraw your consent to the processing at any time for any processing of data to which consent was obtained*

- You can withdraw your consent easily by telephone, email, or by post (see Contact Details below).

7) *The right to lodge a complaint with the Information Commissioner's Office.*

- You can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

Transfer of Data Abroad

Any personal data transferred to countries or territories outside the European Economic Area ("EEA") will only be placed on systems complying with measures giving equivalent protection of personal rights either through international agreements or contracts approved by the European Union. Our website is also accessible from overseas so on occasion some personal data (for example in a newsletter) may be accessed from overseas.

Further processing

If we wish to use your personal data for a new purpose, not covered by this Privacy Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing.

Changes to this notice

We keep this Privacy Notice under regular review and we will place any updates on www.cottenhampc.org.uk/publications. This Notice was last updated in March 2018.

Contact Details

Please contact us if you have any questions about this Privacy Notice or the personal data we hold about you or to exercise all relevant rights, queries or complaints at:

The Data Controller, Cottenham Parish Council, Right Side Entrance, Community Centre, 250a High Street, Cottenham, Cambridge CB24 8RZ.

Email: clerk@cottenhampc.org.uk

18F/218.

Draft Information and Data Protection Policy



Information & Data Protection Policy

Introduction

In order to conduct its business, services and duties, Cottenham Parish Council processes a wide range of data, relating to its own operations and some which it handles on behalf of partners. In broad terms, this data can be classified as:

- Data shared in the public arena about the services it offers, its mode of operations and other information it is required to make available to the public.
- Confidential information and data not yet in the public arena such as ideas or policies that are being worked up.
- Confidential information about other organisations because of commercial sensitivity.
- Personal data concerning its current, past and potential employees, Councillors, and volunteers.
- Personal data concerning individuals who contact it for information, to access its services or facilities or to make a complaint.

Cottenham Parish Council will adopt procedures and manage responsibly, all data which it handles and will respect the confidentiality of both its own data and that belonging to partner organisations it works with and members of the public. In some cases, it will have contractual obligations towards confidential data, but in addition will have specific legal responsibilities for personal and sensitive information under data protection legislation.

This Policy is linked to our [Quality Policy](#) and [ICT Policy](#) which will ensure information considerations are central to the ethos of the organisation.

The Parish Council will periodically review and revise this policy in the light of experience, comments from data subjects and guidance from the Information Commissioners Office.

The Council will be as transparent as possible about its operations and will work closely with public, community and voluntary organisations. Therefore, in the case of all information which is not personal or confidential, it will be prepared to make it available to partners and members of the Parish's communities. Details of information which is routinely available is contained in the Council's Publication Scheme which is based on the statutory model publication scheme for local councils.

Protecting Confidential or Sensitive Information

Cottenham Parish Council recognises it must at times, keep and process sensitive and personal information about both employees and the public, it has therefore adopted this policy not only to meet its legal obligations but to ensure high standards.

The General Data Protection Regulation (GDPR) which become law on 25th May 2018 and will like the the Data Protection Act 1998 before them, seek to strike a balance between the rights of individuals and the sometimes, competing interests of those such as the Parish Council with legitimate reasons for using personal information.

The policy is based on the premise that Personal Data must be:

- Processed fairly, lawfully and in a transparent manner in relation to the data subject.
- Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.
- Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
- Accurate and, where necessary, kept up to date.
- Kept in a form that permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed.
- Processed in a manner that ensures appropriate security of the personal data including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

Data Protection Terminology

Data subject - means the person whose personal data is being processed.

That may be an employee, prospective employee, associate or prospective associate of BTC or someone transacting with it in some way, or an employee, Member or volunteer with one of our clients, or persons transacting or contracting with one of our clients when we process data for them.

Personal data - means any information relating to a natural person or data subject that can be used directly or indirectly to identify the person.

It can be anything from a name, a photo, and an address, date of birth, an email address, bank details, and posts on social networking sites or a computer IP address.

Sensitive personal data - includes information about racial or ethnic origin, political opinions, and religious or other beliefs, trade union membership, medical information, sexual orientation, genetic and biometric data or information related to offences or alleged offences where it is used to uniquely identify an individual.

Data controller - means a person who (either alone or jointly or in common with other persons) (e.g. Town Council, employer, council) determines the purposes for which and the manner in which any personal data is to be processed.

Data processor - in relation to personal data, means any person (other than an employee of the data controller) who processes the data on behalf of the data controller.

Processing information or data - means obtaining, recording or holding the information or data or carrying out any operation or set of operations on the information or data, including:

- organising, adapting or altering it
- retrieving, consulting or using the information or data
- disclosing the information or data by transmission, dissemination or otherwise making it available
- aligning, combining, blocking, erasing or destroying the information or data. regardless of the Technology used.

Cottenham Parish Council processes **personal data** in order to:

- fulfil its duties as an employer by complying with the terms of contracts of employment, safeguarding the employee and maintaining information required by law.
- pursue the legitimate interests of its business and its duties as a public body, by fulfilling contractual terms with other organisations, and maintaining information required by law.
- monitor its activities including the equality and diversity of its activities
- fulfil its duties in operating the business premises including security
- assist regulatory and law enforcement agencies
- process information including the recording and updating details about its Councillors, employees, partners and volunteers.
- process information including the recording and updating details about individuals who contact it for information, or to access a service, or make a complaint.
- undertake surveys, censuses and questionnaires to fulfil the objectives and purposes of the Council.
- undertake research, audit and quality improvement work to fulfil its objects and purposes.
- carry out Council administration.

Where appropriate and governed by necessary safeguards we will carry out the above processing jointly with other appropriate bodies from time to time.

The Council will ensure that at least one of the following conditions is met for personal information to be considered fairly processed:

- The individual has consented to the processing
- Processing is necessary for the performance of a contract or agreement with the individual
- Processing is required under a legal obligation
- Processing is necessary to protect the vital interests of the individual
- Processing is necessary to carry out public functions
- Processing is necessary in order to pursue the legitimate interests of the data controller or third parties.

Particular attention is paid to the processing of any **sensitive personal information** and the Parish Council will ensure that at least one of the following conditions is met:

- Explicit consent of the individual
- Required by law to process the data for employment purposes
- A requirement in order to protect the vital interests of the individual or another person

Who is responsible for protecting a person's personal data?

The Parish Council as a corporate body has ultimate responsibility for ensuring compliance with the Data Protection legislation. The Council has delegated this responsibility day to day to the Parish Clerk.

- Email: clerk@cottenhampc.org.uk
- Phone: 07503 328401
- Correspondence: The Parish Clerk, Right Side Entrance, Community Centre, 250a High Street, Cottenham, Cambridge CB24 8RZ

The Parish Council has also appointed an external Data Protection Officer to ensure compliance with Data Protection legislation who may be contacted at: **(Your Data Protection Officers name)**

Diversity Monitoring

Cottenham Parish Council monitors the diversity of its employees, and Councillors, in order to ensure that there is no inappropriate or unlawful discrimination in the way it conducts its activities. It undertakes similar data handling in respect of prospective employees. This data will

always be treated as confidential. It will only be accessed by authorised individuals within the Council and will not be disclosed to any other bodies or individuals. Diversity information will never be used as selection criteria and will not be made available to others involved in the recruitment process. Anonymised data derived from diversity monitoring will be used for monitoring purposes and may be published and passed to other bodies.

The Council will always give guidance on personnel data to employees, councillors, partners and volunteers through a Privacy Notice and ensure that individuals on whom personal information is kept are aware of their rights and have easy access to that information on request.

Appropriate technical and organisational measures will be taken against Unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.

Personal data shall not be transferred to a country or territory outside the European Economic Areas unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

Information provided to us

The information provided (personal information such as name, address, email address, phone number) will be processed and stored so that it is possible for us to contact, respond to or conduct the transaction requested by the individual. By transacting with (Your Council Name), individuals are deemed to be giving consent for their personal data provided to be used and transferred in accordance with this policy, however where ever possible specific written consent will be sought. It is the responsibility of those individuals to ensure that the Parish Council is able to keep their personal data accurate and up-to-date. The personal information will be not shared or provided to any other third party or be used for any purpose other than that for which it was provided.

The Councils Right to Process Information

General Data Protection Regulations (and Data Protection Act) Article 6 (1) (a) (b) and (e)
Processing is with consent of the data subject, or
Processing is necessary for compliance with a legal obligation.
Processing is necessary for the legitimate interests of the Council.

Information Security

The Parish Council cares to ensure the security of personal data. We make sure that your information is protected from unauthorised access, loss, manipulation, falsification, destruction or unauthorised disclosure. This is done through appropriate technical measures and appropriate policies.

We will only keep your data for the purpose it was collected for and only for as long as is necessary, after which it will be deleted.

Children

We will not process any data relating to a child (under 13) without the express parental/ guardian consent of the child concerned.

Rights of a Data Subject

Access to Information: an individual has the right to request access to the information we have on them. They can do this by contacting our Town Clerk or Data Protection Officer:

Information Correction: If they believe that the information we have about them is incorrect, they may contact us so that we can update it and keep their data accurate. Please contact: Town Clerk.

Information Deletion: If the individual wishes the Town Council to delete the information about them, they can do so by contacting the Town Clerk.

Right to Object: If an individual believes their data is not being processed for the purpose it has been collected for, they may object by contacting the Town Clerk or Data Protection Officer.

The Parish Council does not use automated decision making or profiling of individual personal data.

Complaints: If an individual has a complaint regarding the way their personal data has been processed, they may make a complaint to the Town Clerk, Data Protection Officer or the Information Commissioners Office casework@ico.org.uk Tel: 0303 123 1113.

The Council will always give guidance on personnel data to employees through the Employee handbook.

The Council will ensure that individuals on whom personal information is kept are aware of their rights and have easy access to that information on request.

Making Information Available

The Publication Scheme is a means by which the Council can make a significant amount of information available routinely, without waiting for someone to specifically request it. The scheme is intended to encourage local people to take an interest in the work of the Council and its role within the community.

In accordance with the provisions of the Freedom of Information Act 2000, this Scheme specifies the classes of information which the Council publishes or intends to publish. It is supplemented with an Information Guide which will give greater detail of what the Council will make available and hopefully make it easier for people to access it.

All formal meetings of Council and its committees are subject to statutory notice being given on notice boards, the Website and sent to the local media. The Council publishes an annual programme in May each year. All formal meetings are open to the public and press and reports to those meetings and relevant background papers are available for the public to see. The Council welcomes public participation and has a public participation session on each Council and committee meeting. Details can be seen in the Council's Standing Orders, which are available on its Website or at its Offices.

Occasionally, Council or committees may need to consider matters in private. Examples of this are matters involving personal details of staff, or a particular member of the public, or where details of commercial/contractual sensitivity are to be discussed. This will only happen after a formal resolution has been passed to exclude the press and public and reasons for the decision are stated. Minutes from all formal meetings, including the confidential parts are public documents.

The Openness of Local Government Bodies Regulations 2014 requires written records to be made of certain decisions taken by officers under delegated powers. These are not routine operational and administrative decisions such as giving instructions to the workforce or paying an invoice approved by Council, but would include urgent action taken after consultation with the Chairman, such as responding to a planning application in advance of Council. In other words, decisions which would have been made by Council or committee had the delegation not been in place.

The 2014 Regulations also amend the Public Bodies (Admission to Meetings) Act 1960 to allow the public or press to film, photograph or make an audio recording of council and committee meetings normally open to the public. The Council will where possible facilitate such recording unless it is being disruptive. It will also take steps to ensure that children, the vulnerable and members of the public who object to being filmed are protected without undermining the broader purpose of the meeting.

The Council will be pleased to make special arrangements on request for persons who do not have English as their first language or those with hearing or sight difficulties.

Disclosure Information

The Council will as necessary undertake checks on both staff and Members with the the Disclosure and Barring Service and will comply with their Code of Conduct relating to the secure storage, handling, use, retention and disposal of Disclosures and Disclosure Information. It will include an appropriate operating procedure in its integrated quality management system.

Data Transparency

The Council has resolved to act in accordance with the Code of Recommended Practice for Local Authorities on Data Transparency (September 2011). This sets out the key principles for local authorities in creating greater transparency through the publication of public data and is intended to help them meet obligations of the legislative framework concerning information.

“Public data” means the objective, factual data on which policy decisions are based and on which public services are assessed, or which is collected or generated in the course of public service delivery.

The Code will therefore underpin the Council’s decisions on the release of public data and ensure it is proactive in pursuing higher standards and responding to best practice as it develops.

The principles of the Code are:

Demand led: new technologies and publication of data should support transparency and accountability

Open: the provision of public data will be integral to the Council’s engagement with residents so that it drives accountability to them.

Timely: data will be published as soon as possible following production.

Government has also issued a further Code of Recommended Practice on Transparency, compliance of which is compulsory for parish councils with turnover (gross income or gross expenditure) not exceeding £25,000 per annum. These councils will be exempt from the requirement to have an external audit from April 2017. (Your Council Name) exceeds this turnover but will never the less ensure the following information is published on its Website for ease of access:

- All transactions above £100.
- End of year accounts
- Annual Governance Statements
- Internal Audit Reports
- List of Councillor or Member responsibilities
- Details of public land and building assets
- Draft minutes of Council and committees within one month
- Agendas and associated papers no later than three clear days before the meeting.

Adopted by Cottenham Parish Council

Review Date: (Relevant date)

18F/219.

Draft Councillor Privacy Notice



Councillor Privacy Notice **When you sign your acceptance of office and take your seat on** **Cottenham Parish Council**

The information you provide (personal information such as name, address, email address, phone number, register of interests and other relevant information) will be processed and stored so that it is possible to contact you, respond to your correspondence and retain information relating to your time in office with the Council. (The Council ask that you provide a dedicated email address for conducting Council business). Your personal information will not be shared with any third party other than those related to a statutory or lawful requirement or with your consent.

When you contact us

The information you provide (personal information such as name, address, email address, phone number, organisation) will be processed and stored to enable us to contact you and respond to your correspondence, provide information and/or access our facilities and services. Your personal information will be not shared or provided to any other third party.

The Councils Right to Process Information

General Data Protection Regulations Article 6 (1) (a) (b) and (e)

Processing is with consent of the data subject or

Processing is necessary for compliance with a legal obligation or

Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller

Information Security

Cottenham Parish Council has a duty to ensure the security of personal data. We make sure that your information is protected from unauthorised access, loss, manipulation, falsification, destruction or unauthorised disclosure. This is done through appropriate technical measures and appropriate policies. Copies of these policies can be requested.

We will only keep your data for the purpose it was collected for and only for as long as is necessary. After which it will be deleted. (You many request the deletion of your data held by (Your Council name) at any time).

Access to Information

You have the right to request access to the information we have on you. You can do this by contacting our Data Information Officer: **(Name of Controller and contact details)**

Information Correction

If you believe that the information we have about you is incorrect, you may contact us so that we can update it and keep your data accurate. Please contact: (Name of Controller and contact details) to request this.

Information Deletion

If you wish Cottenham Parish Council to delete the information about you please contact: (Name of Controller and contact details) to request this.

Right to Object

If you believe that your data is not being processed for the purpose it has been collected for, you may object: Please contact (Name of Controller) to object.

Rights Related to Automated Decision Making and Profiling

Cottenham Parish Council does not use any form of automated decision making or the profiling of individual personal data.

Complaints

If you have a complaint regarding the way your personal data has been processed you may make a complaint to Cottenham Parish Council Data Information Officer: (Officers Name and contact details) and the Information Commissioners Office casework@ico.org.uk Tel: 0303 123 1113

Summary: In accordance with the law, Cottenham Parish Council only collect a limited amount of information about you that is necessary for correspondence, information and service provision. Cottenham Parish Council do not use profiling, we do not sell or pass your data to third parties. Cottenham Parish Council do not use your data for purposes other than those specified. Cottenham Parish Council make sure your data is stored securely. Cottenham Parish Council delete all information deemed to be no longer necessary. Cottenham Parish Council constantly review our Privacy Policies to keep it up to date in protecting your data. (You can request a copy of our policies at any time).

Cottenham Parish Council, Right Side Entrance, 250a High Street, Cottenham, Cambridge CB24 8RZ. Tel: 07503 328401. Email: Clerk@cottenhampc.org.uk

18F/220.

Draft Hirers Privacy Notice



Hirers Privacy Notice

When you hire the Village Hall or hold an event on the Recreation Ground or Village Green, the information you provide (personal information such as name, address, email address, phone number) will be processed and stored so that it is possible to contact you and respond to your correspondence, provide information, send invoices and receipts relating to your hire agreement. Your personal information will not be shared with any third party without your prior consent.

When you contact us

The information you provide (personal information such as name, address, email address, phone number, organisation) will be processed and stored to enable us to contact you and respond to your correspondence, provide information and/or access our facilities and services. Your personal information will be not shared or provided to any other third party.

The Councils Right to Process Information

General Data Protection Regulations Article 6 (1) (a) (b) and (e)

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Processing is necessary for compliance with a legal obligation or

Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller

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Information Correction

If you believe that the information we have about you is incorrect, you may contact us so that we can update it and keep your data accurate. Please contact: **(Name of Controller and contact details)** to request this.

Information Deletion

If you wish Cottenham Parish Council to delete the information about you please contact: (**Name of Controller and contact details**) to request this.

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18F/221.

Draft Grant Application Privacy Notice



Grant Application Privacy Notice

When you apply for a grant from Cottenham Parish Council, the information you provide (personal information such as name, address, email address, phone number, bank details) will be processed and stored so that it is possible to contact you and respond to your application and provide information. Your personal information will not be shared with any third party without your prior consent.

When you contact us

The information you provide (personal information such as name, address, email address, phone number, organisation, bank details) will be processed and stored to enable us to contact you and respond to your application. Your personal information will be not shared or provided to any other third party.

The Councils Right to Process Information

General Data Protection Regulations Article 6 (1) (a) (b) and (e)

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18F/222.

Draft General Data Protection Regulations (service) Consent to hold contact information



**General Data Protection Regulations (Service) Consent
to hold Contact Information**

I agree that I have read and understand (Your Councils Name) Privacy Notice. I agree by signing below that the Council may process my personal information for providing information and corresponding with me.

I agree that (Your Council's Name) can keep my contact information data for an undisclosed time or until I request its removal.

I have the right to request modification on the information that you keep on record.

I have the right to withdraw my consent and request that my details are removed from your database.

Name	
Date of birth if under 18	
Parental/Guardian Consent for any data processing activity	
Address	
Telephone No.	
Email Address	
Facebook	
Twitter	
Signature	
Date	

For office use only:

Guidance Notes Data Sharing Checklist – systematic data sharing

Scenario: You want to enter into an agreement to share personal data on an ongoing basis is this form relevant and the sharing justified? Read the below:

Key points to consider:

What is the sharing meant to achieve?

Have you assessed the potential benefits and risks to individuals and/or society of sharing or not sharing?

- Is the sharing proportionate to the issue you are addressing?
- Could the objective be achieved without sharing personal data?

Do you have the power to share?

Key points to consider:

- The type of organisation you work for.
- Any relevant functions or powers of your organisation.
- The nature of the information you have been asked to share (for example was it given in confidence?).
- Any legal obligation to share information (for example a statutory requirement or a court order).

If you decide to share

It is good practice to have a data sharing agreement in place.

As well as considering the key points above, your data sharing agreement should cover the following issues:

- What information needs to be shared?
- The organisations that will be involved.
- What you need to tell people about the data sharing and how you will communicate that information.
- Measures to ensure adequate security is in place to protect the data.
- What arrangements need to be in place to provide individuals with access to their personal data if they request it?
- Agreed common retention periods for the data.
- Processes to ensure secure deletion takes place.

Date Data received	Date consent received and approved for data to be held	Data received as Phone, email, hard copy or other	Data approved to be shared with the below	Removal of consent received	Date data disposed of and method of disposal actioned

18F/224. Consider new model Standing Orders from NALC (April 2018)

Sent out separately.