

Otley Parish Council

Data Protection Impact Assessment

Submitting controller details

Name of controller	Mary Hunt
Subject/title of DPO	Parish Clerk and RFO
Name of controller contact /DPO (delete as appropriate)	Mary Hunt

Step 1: Identify the need for a DPIA

Explain broadly what project aims to achieve and what type of processing it involves. You may find it helpful to refer or link to other documents, such as a project proposal. Summarise why you identified the need for a DPIA.

The Identified need for a DPIA came from a recommendation from Suffolk Association of Local Councils (SALC) Auditor, following completion of Otley Parish Councils Annual Audit June 2023.

This Data Protection Impact Assessment (DPIA) is designed to identify risks arising out of the processing of personal data and to minimise these risks as far and as early as possible as well as demonstrating compliance with GDPR in order to avoid sanctions. It will also inspire confidence in the public by improving communication about Data Protection Issues, and makes sure users are not at risk of their data protection rights being violated.

Otley Parish Council is a small Council the purpose of this DPIA is for the general Day to Day running. We do not run any large projects.

Step 2: Describe the processing

Describe the nature of the processing: how will you collect, use, store and delete data? What is the source of the data? Will you be sharing data with anyone? You might find it useful to refer to a flow diagram or other way of describing data flows. What types of processing identified as likely high risk are involved?

Processing means taking any action with someone's Personal Data e.g. Name, Address, Photographs, Medical Information. This begins when a data controller starts making a record of information about someone and continues until you no longer need the information and it's been securely destroyed. If you hold information on someone, it counts as processing even if you don't do anything else with it. Other types of data processing include actions such as organising and restructuring the way you save the data, making changes to it e.g. Updating someone's address or record and sharing it or passing it to others. (Taken from The Information Commissioner's Office (ICO) under section for Advice to small organisations.

For Otley Parish Council -

Name and address, email address and phone number details of the 9 councillors plus Parish Clerk are stored on Parish Laptop.

Details of other members of the public are stored during correspondence and are deleted when query has been completed.

Details updated or deleted as appropriate following elections or resignations.

Describe the scope of the processing: what is the nature of the data, and does it include special category or criminal offence data? How much data will you be collecting and using? How often? How long will you keep it? How many individuals are affected? What geographical area does it cover?

Name and address email and phone numbers of the councillors plus Parish Clerk are stored on Parish Laptop. Some councillors have elected not to have their contact details published and request contact be may via the Parish Clerk.

There are no special categories or criminal offence data stored of the Parish Councillors. Members of the public may volunteer such information which is deleted when query is completed.

Details of other members of the public are stored during correspondence and are deleted when query has been completed.

Details updated or deleted as appropriate following elections or resignations.

Area is within three miles from the village boundary.

To be eligible to be a Parish Councillor you need to be a United Kingdom Citizen or Republic of Ireland or another Member state of the European Union and at least 18 years old, lived in the Parish for 12 months and live within a three miles of the Parish Boundary. The data held does not include either Criminal Offence date or special category which would refer to a persons race, religion or belief and sexual orientation.

Describe the context of the processing: what is the nature of your relationship with the individuals? How much control will they have? Would they expect you to use their data in this way? Do they include children or other vulnerable groups? Are there prior concerns over this type of processing or security flaws? Is it novel in any way? What is the current state of technology in this area? Are there any current issues of public concern that you should factor in? Are you signed up to any approved code of conduct or certification scheme (once any have been approved)?

Relationship: Parish Councillors, they can request that their contact details are not published on the Councils Website.

Children are not involved as you have to be at least 18 year old to be a Parish Councillor. Otley Parish Council welcome anyone who is interested in becoming a Councillor, if they require additional assistance to enable them to be a Councillor this would be provided.

Councillors Code of Conduct is in place and was last updated and agreed by the Parish Councillors at a Council Meeting on 15th May 2023.

The Clerk/RFO has a laptop which is purely for the use of Parish Council business, it is backed up weekly and a secure password system is in place.

Describe the purposes of the processing: what do you want to achieve? What is the intended effect on individuals? What are the benefits of the processing – for you, and more broadly?

To enable the Clerk / RFO to stay in contact and communicate with the Parish Councillors by email and at face to face meetings. The Council meets 6 times a year.

The Benefits are to enable the Clerk / RFO and Councillors to work together for the benefits and well being of our community.

Step 3: Consultation process

Consider how to consult with relevant stakeholders: describe when and how you will seek individuals' views – or justify why it's not appropriate to do so. Who else do you need to involve within your organisation? Do you need to ask your processors to assist? Do you plan to consult information security experts, or any other experts?

Residents will contact the Clerk/ RFO from time to time with issues they may wish to have raised or raised themselves at a meeting, once the issue has been discussed and resolved etc all communication regarding the matter if via email is deleted, although less likely to be via letter, the correspondence is shredded and disposed of appropriately.

Any consultation regarding matters such as Neighbourhood Plan if questionnaires are sent out to residents they are asked their views, no personal data is required or collected.

Step 4: Assess necessity and proportionality

Describe compliance and proportionality measures, in particular: what is your lawful basis for processing? Does the processing actually achieve your purpose? Is there another way to achieve the same outcome? How will you prevent function creep? How will you ensure data quality and data minimisation? What information will you give individuals? How will you help to support their rights? What measures do you take to ensure processors comply? How do you safeguard any international transfers?

The only Data Otley Parish Council collects is the names and contact details of the elected Parish Councillors. The Clerk / RFO is aware of Function Creep which is the gradual widening of the use of a technology or system beyond the purpose for which it was originally intended such as potential invasion of privacy.

Data quality and data minimisation is ensured as only relevant information is collected from the Parish Councillors and retained only for as long as is necessary or for the period they stand as a Councillor, if they resign their data is removed / deleted immediately.

Step 5: Identify and assess risks

Describe source of risk and nature of potential impact on individuals. Include associated compliance and corporate risks as necessary.	Likelihood of harm	Severity of harm	Overall risk
<p>Data Breach of personal information. (Names and Addresses, email and phone numbers) of Clerk/ RFO and Parish Councillors and members of the public from time and time.</p>	<p>Remote, possible or probable</p>	<p>Minimal, significant or severe</p>	<p>Low, medium or high</p>
	<p>Remote</p>	<p>Minimal</p>	<p>Low</p>

Step 6: Identify measures to reduce risk

Identify additional measures you could take to reduce or eliminate risks identified as medium or high risk in step 5				
Risk	Options to reduce or eliminate risk	Effect on risk	Residual risk	Measure approved
Loss of Councillors and members of the public Personal Data including Register of Interest Forms	Kept in secure folder on laptop that is Password Protected, which only Clerk/ RFO has access to. (Laptop is only for use of Parish Council Business). Register of Interest Forms are paper form, these are kept in a locked filing cabinet.	Eliminated	Low	Yes/no
		reduced	medium	
		accepted	high	
		Reduced	Low	To agree at Meeting
		Reduced	Low	To agree at Meeting

Step 7: Sign off and record outcomes

Item	Name/position/date	Notes
Measures approved by:		Integrate actions back into project plan, with date and responsibility for completion
Residual risks approved by:		If accepting any residual high risk, consult the ICO before going ahead
DPO advice provided: N/A		DPO should advise on compliance, step 6 measures and whether processing can proceed
<p>Summary of DPO advice:</p> <p>Do Parish Councils need a Data Protection Officer – Section 7(3) of the DPA 2018 say that Parish Councils are not public authorities for the purposes of the GDPR. Therefore they do not need to appoint a Data Protection Officer (DPO) 8th March 2023.</p> <p>Otley Parish Council pays an annual subscription to the Information Commissioners Office Reference Number Z2934889.</p>		
DPO advice accepted or overruled by:		If overruled, you must explain your reasons
Comments: N/A		
Consultation responses reviewed by:		If your decision departs from individuals' views, you must explain your reasons
Comments: N/A		
This DPIA will kept	Mary Hunt Clerk/ RFO	The DPO should also review

under review by:		ongoing compliance with DPIA
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