

## Section 5.1



### DATA PROTECTION POLICY

This is a statement of data protection policy adopted by Harrogate Borough Council.

The Harrogate Borough Council needs to collect and use certain types of information about people with whom it deals in order to operate. These include current, past and prospective employees, suppliers, clients/customers, and others with whom it communicates. In addition, it may occasionally be required by law to collect and use certain types of information of this kind to comply with the requirements of government departments for business data, for example. This personal information must be dealt with properly however it is collected, recorded and used – whether on paper, in a computer, or recorded on other material, and there are safeguards to ensure this in the Data Protection Act 1998.

WE regard the lawful and correct treatment of personal information by Harrogate Borough Council as very important to successful operations, and to maintaining confidence between those with whom we deal and ourselves. We ensure that our organisation treats personal information lawfully and correctly.

To this end we fully endorse and adhere to the Principles of data protection, as enumerated in the Data Protection Act 1998.

Specifically, the Principles require that personal information:

- a. Shall be processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met;
- b. Shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes;
- c. Shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed;
- d. Shall be accurate and, where necessary, kept up to date;
- e. Shall not be kept for longer than is necessary for that purpose or those purposes;
- f. Shall be processed in accordance with the rights of data subjects under the Act;

and that:

- g. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data;
- h. Shall not be transferred to a country or territory outside the European Economic Area 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.

Therefore, Harrogate Borough Council will, through appropriate management, and strict application of criteria and controls:

- Observe fully conditions regarding the fair collection and use of information;
- Meet its legal obligations to specify the purposes for which information is used;
- Collect and process appropriate information, and only to the extent that it is needed to fulfil operational needs or to comply with any legal requirements;
- Ensure the quality of information used;
- Apply strict checks to determine the length of time information is held;
- Ensure that the rights of people about whom information is held can be fully exercised under the Act. (These include: the right to be informed that processing is being undertaken: the right of access to one's personal information; the right to prevent processing in certain circumstances; the right to correct rectify, block or erase information which is regarded as wrong information.);
- Take appropriate technical and organisational security measures to safeguard personal information;
- Ensure that personal information is not transferred abroad without suitable safeguards.

In addition, Harrogate Borough Council will ensure that:

- There is someone with specific responsibility for the co-ordination of data protection in the organisation. (Currently, the Nominated Person is J A Foster.)
- Everyone managing and handling personal information understands that they are contractually responsible for following good data protection practice;

- Everyone managing and handling personal information is appropriately trained to do so;
- Everyone managing and handling personal information is appropriately supervised;
- Anybody wanting to make enquiries about handling personal information knows what to do;
- Queries about handling personal information are promptly and courteously dealt with;
- Methods of handling personal information are clearly described;
- A regular review and audit is made of the way personal information is managed;
- Methods of handling personal information are regularly assessed and evaluated;
- Performance with handling personal information is regularly assessed and evaluated.

**Approved by Cabinet on the 25 June 2003**