

## Clerks report for the Meeting on 17<sup>th</sup> July 2017

- The Clerk attended a course on the forthcoming General Data Protection Regulations / Data Protection Bill 2017.
- The GDPR will apply in the UK from 25<sup>th</sup> May 2018. The Government has confirmed that the UK's decision to leave the EU will not affect the commencement of the GDPR.
- The ICO has advised local authorities, businesses & charities to start the process of compliance now.
- A new Data Protection Bill will be introduced and enacted in time for the commencement date.
- The JPC need to undertake an information audit and document personal data the JPC holds; where it came from & whom we share it with
- Need to put in place privacy notices (web sites & emails). The notice should detail the council's identity, how we process data and why; detail the lawful basis for processing data, the data retention period, the right to be removed and to correct/amend data; information on how to complain to the ICO if someone believes that there is an issue with the way the data is handled.
- JPC needs to check insurances in place; also recommend inclusion of corporate, manslaughter & homicide policy (Grenfell Tower)
- The JPC needs to check that procedures are in place to ensure that they cover the new rights of individuals; to be informed, to have access, rectification, erasure, restrict processing, data portability, to object and not to be subject to automated decision making, including profiling.
- Update procedures and plan how the JPC will handle subject access requests; no charges will be applicable unless the request is onerous or repetitive, there will be one month to comply. If the request is refused, the JPC has to tell the individual why and that they have the right to complain to the ICO to a judicial remedy within one month.
- The JPC should review, record and manage consent and cannot be passive or inferred by silence – it could be a tick box an individual can tick or sign up to.
- The JPC needs to start thinking about whether it needs to put systems in place to verify the ages of individuals and to obtain parental or guardian consent for data processing purposes – eg an electronic survey via a web site of children on views re: a skatepark or lay area (children under 13)
- The JPC needs to put policies in place to detect, report and investigate data breaches : risks; emails, people copied in or forwarded trails; dealing with correspondence, disposal of sensitive data, loss of computer with data, back up arrangements, disposal of IT equipment and filming & recording members of the public at meetings.
- However, largely speaking 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 data controller (the JPC) data processor (clerk).