

General Data Protection Regulation (GDPR)

PERSONAL DATA AUDIT QUESTIONNAIRE

- A. To be used to help Councils with their record keeping obligations under the GDPR.
- B. This questionnaire is designed to help Councils to audit their personal data. It is important that Councillors and staff complete this form as comprehensively as possible. The purpose of a data audit is to find out what data the Council is processing, what it is used for, where it is located and who has access to it. It is an important step in assessing whether there are any risks in the type of processing the Council carries out. For example if the Council processes a large amount of sensitive personal data but has no access controls in place restricting who can see or use the data, that is a security risk which needs to be fixed. Without carrying out an audit a Council may not know what risks it currently has with data.
- C. The generic phrase 'Council' has been used to refer to the data controller (see glossary) using the questionnaire.
- D. Glossary

'Personal Data' is any information about a living person which can identify them. This is not just someone's name and address but any information which can identify them (directly or indirectly). For example a phone number or email address is personal data. Any other contact information or a person's employment history, or credit history are all personal data.

'Data controller' is the person or organisation who determines the how and what of data processing.

'Data processor' is the person or firm that processes the data on behalf of the controller.

'Data subject' is the person about whom personal data is processed.

'Processing' personal data means storing or deleting any personal data on a computer, database or some manual files (e.g. HR, allotment tenancy files or invoices with contractor payment details). The word 'processing' also covers selecting a name for a mailing list, or reading it off a screen during a call. It includes transferring and altering data. Indeed, practically anything done to personal data constitutes processing.

'Sensitive personal data or special categories of personal data' are any of the following types of personal data about a data subject: racial or ethnic origin; political opinions; religious beliefs; trade union membership; physical or mental health or condition; sexual life or orientation; genetic data; and biometric data.

PART A: YOUR INFORMATION	
1. Person completing questionnaire	
a. Name	a. Sara Porter
b. Role	b. Parish Clerk
c. Telephone number	c. 01366 502165
d. Email	d. parishclerk.marhampc@gmail.com
2. Data controller (name of local Council)	Marham Parish Council
3. Date you completed this questionnaire	25 th May 2018

PART B: COMMUNICATING PERSONAL DATA relates to communications with councillors, staff and local residents (including mailing lists), general public

<p>4.</p>	<p>a. What type of personal data does the Council keep? e.g. name, contact details such as bank details.</p> <p>b. Where does the Council get the personal data from? e.g. staff, residents, other local authorities, charities and sports clubs, community groups, recruitment agencies.</p> <p>c. Why does the Council collect or process the data – what does the Council do with the personal data? For purposes relating to: e.g. local resident concerns, management of Council facilities, services and staff, contract management, performance of statutory functions. <i>[Please list all reasons].</i></p>	<p>a. Name, Address, Telephone Number(s), Email Address, Financial Information, Bank Details, Staff NI Number(s), Payroll Records, Photographs</p> <p>b. Staff, Councillors, Other Local Authorities, Residents, General Public, Charities, Sports Clubs, Community Groups, Contractors, Businesses, Allotment Tenants, Lessees, Volunteers</p> <p>c. Local Resident Concerns – Gmail, correspondence folder (held for historical purposes in case of future enquiries)</p> <p>Management of Council facilities – Gmail, leaflets, P&S magazine, laptop, website (held for statutory purposes and to advertise facilities)</p> <p>Services – Gmail, contract folder, correspondence folder, laptop, website, online banking (held for contractual purposes and payments)</p> <p>Staff – Gmail, HMRC Payroll software, NEST Pension Provider, laptop, website, online banking (held for transparency purposes, salaries and payments)</p> <p>Councillors – Gmail, laptop, website, online banking (held for transparency purposes and expenses payments)</p> <p>Contract Management – Gmail, contract folder, correspondence folder, laptop, website, online banking (held for contractual purposes and payments)</p> <p>Performance of Statutory Functions – Gmail, correspondence folder, laptop, website, online banking, P&S magazine (held for contractual purposes, advertising and payments)</p> <p>Hirers of Village Hall, allotment tenants, lessees, cemetery reservations – Gmail, laptop (held for contractual purposes and payments)</p>
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<p><u>d. Who does the Council disclose personal data to?</u> E.g. the public, Councillors, staff and contractors carrying out the work of the Council, pension providers, HMRC, credit reference agencies, recruitment agencies, prospective employers</p> <p><u>e. Do the Council minutes contain personal data?</u></p> <p><u>f. Does the Council ever send personal data overseas and if so where to and to which organisation? This might include overseas companies providing database or email services.</u> <u>e.g. do any of your suppliers use 'cloud storage' and if so do you know where the personal data is located?</u></p> <p><u>g. Does the Council collect any sensitive personal data?</u> see definition above.</p> <p><u>h. If so for what reason?</u> e.g. for safeguarding compliance; physical or mental health data relating to staff; racial and ethnic origin relating to equal opportunities monitoring. [Please list anything else]</p>	<p>d. Public, Councillors, Staff, Contractors, Pension Provider, HMRC</p> <p>e. No; the press and public are excluded from the meeting when confidential and commercially sensitive matters are discussed and information is not available for public inspection thereafter</p> <p>f. Only to the general public who reside overseas and have made an enquiry by email or post or are able to view the website</p> <p>g. Staff and Councillor applications are held indefinitely by email, paper folder, laptop. Unsuccessful staff and Councillor applications are held for six months only and are then securely destroyed by shredding</p> <p>h. Current staff personal data is held indefinitely by email, paper folder, laptop for employment and health and safety reasons. Councillor information is retained until the next ordinary election</p>
<p>PART C: SUPPLIERS, COMPANIES, AND OTHER ORGANISATIONS THE COUNCIL CONTRACTS WITH about individuals or representatives of organisations which supply us with services such as for council repairs, or with whom we are in contact</p>	
<p>5. a. Who does the Council keep personal data about? e.g. tradesman, recruitment agencies, surveyors, architects, builders, suppliers, advisers, payroll processors. [Please list any others]</p>	<p>a. Contractors, businesses, solicitors, suppliers of goods and services, service providers, P&S magazine advertisers, RAF personnel, volunteers</p>

<p><u>b. What type of personal data does the Council keep?</u> e.g. name, contact details, qualifications, financial details, details of certificates and diplomas, education and skills. [Please list any others]</p> <p><u>c. Where does the Council get the data from?</u> e.g. the individuals, suppliers. [Please list any others]</p> <p><u>d. Why does the Council collect or process the data?</u> e.g. Council property maintenance and repairs and management of Council facilities, pay and manage staff. [Please list any other reasons].</p>	<p>b. Name, address, email, telephone number(s), PLI schedules (if applicable), risk assessments (if applicable), method statements (if applicable), staff employment documents including qualifications and CV</p> <p>c. Individuals, businesses, goods providers, service providers</p> <p>d. Maintenance and repairs contracts, goods and services, legal matters, repeat advertisers, payment for goods/services, tenants leasing or renting land, service agreements</p>
PART D: GENERAL QUESTIONS ABOUT PERSONAL DATA	
<p>6. a. How <u>does the Council</u> store the personal data collected?</p> <p>b. <u>Does the Council</u> take any steps to prevent unauthorised use of or access to personal data or against accidental loss, destruction or damage? If so, what?</p> <p>c. How <u>does the Council</u> manage access to data?</p> <p>d. What is the process involved in giving access to staff or Councillors?</p>	<p>a. Clerk's home address, Village Hall Committee Room, laptop, website, memory stick, Gmail, folders</p> <p>b. Archived information is stored securely in the Village Hall Committee Room. Current information is stored at the Clerk's home address. Insurance cover is in place for indemnity but there are no possible methods to safeguard against accidental loss, destruction, damage or theft</p> <p>c. The Committee Room is not accessible to members of the public. The Clerk's home office is not accessible to members of the public or visitors and information at the Clerk's home is stored upstairs</p> <p>The Clerk is the only member of staff and Councillors are made aware of any confidential information which is not available for public inspection</p>
<p>7. a. Do any procedures exist for e.g. correcting, deleting, restricting, personal data? If so, please provide details.</p>	<p>NALC Legal Topic Note 40 November 2016 Local Council's Documents and Records (see Appendix)</p>
<p>8. a. Who has access to/is provided with the personal data (internally and externally)?</p>	<p>Clerk, Councillors, Village Hall Bookings Officer contractor, other Local Authorities</p>

	b. Is there an authorisation procedure for accessing personal data? If so, please provide details.	The Council has introduced a Consent Form and Privacy Agreement
9.	Does the Council provide a copy of all existing privacy notices?	The Privacy Notice is displayed on the website, at the footer of emails (link to the website) and new enquiries
10.	So far as the Council is aware, has any personal data which was gathered for one purpose been used for another purpose (e.g. communicating Council news?) If so, please provide details.	No
11.	Does the Council have any policies, processes or procedures to check the accuracy of personal data?	A Consent Form has been produced for residents, staff, Councillors and Contractors
12.	a. In the event of a data security breach occurring, does the Council have in place processes or procedures to be followed? b. What are these?	a. Yes. b. Personal Data Breaches Policy
13.	a. If someone asks for a copy of personal data that the Council holds about them, i.e. they make a 'subject access request', is there a procedure for handling such a request? b. Is this procedure contained in a written document?	a. Yes b. Subject Access Policy SAR & Sample Letters
14.	Does the Council have an internal record of the consents which the Council has relied upon for processing activities? e.g. to send Council newsletters to residents	The Council is in the process of hand delivering these to all properties in the Parish of Marham
15.	a. Are cookies used on our Council website? b. Does the Council provide information about the cookies used and why they are used? c. Does the Council keep a record of the consents provided by users to the cookies? d. Does the Council allow individuals to refuse to give consent?	a. Yes b. Yes c. The Council is unable to view these records as the Administrator rights of the website are owned by Norfolk ALC d. Not applicable

16.	Does the Council have website privacy notices and privacy policies?	Yes
17.	a. What data protection training do staff (e.g. Council administrator, hall bookings secretary) and Councillors receive? b. What does the training involve?	a. The Clerk has received training on the GDPR and information is received from Norfolk ALC and forwarded to Councillors and the Village Hall contractor b. Norfolk ALC training
18.	a. Does anyone in the Council have responsibility for reviewing personal data for relevance, accuracy and keeping it up to date? b. If so, how regularly are these activities carried out?	a. The Clerk and the Chairman b. On an annual basis
19.	a. What does the Council do about archiving, retention or deletion of personal data? b. How long is personal data kept before being destroyed or archived? c. Who authorises destruction and archiving?	Archived and retention data is stored in the Village Hall Committee Room. Historic information is sent to the Norfolk Record Office for safekeeping. The NALC Legal Topic Note 40 Retention of Documents & Records Nov 2016 is adhered to. Obsolete emails are deleted and correspondence is shredded after 2 years from receipt The Clerk and/or the Chairman
PART E: MONITORING		
20.	a. Please identify any monitoring of the following systems that takes place. 'Monitoring' includes all monitoring of systems including intercepting, blocking, recording or otherwise accessing systems whether on a full-time or occasional basis. The systems are: (i) computer networks and connections (ii) CCTV and access control systems (iii) communications systems (e.g. intercom, public address systems, radios, walkie-talkies) (iv) remote access systems (v) email and instant messaging systems (vi) telephones, voicemail, mobile phone records [Please list anything else].	a. The Clerk and Councillors are responsible for ensuring the items listed (i–vi) are kept up to date and information via communication systems are stored and/or deleted when necessary

b. Does the Council have notices, policies or procedures relevant to this monitoring?	b. The Press & Social Media Policy covers these matters
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