

# Briefing Note

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## GDPR General Privacy Notice

### 1.0 Background

1.1 The most critical document in the council's compliance with the GDPR is the General Privacy Notice that sets out, for residents and contractors how their personal data is collected, stored, managed and disposed of. It is a summary of the council's existing and adopted policies and needs to set out in a concise and easy to understand way how the council uses their data. In it, the GPN sets out:

- why we are able to process your information
- what purpose we are processing it for
- whether you have to provide it to us
- how long we store it for
- whether there are other recipients of your personal information
- whether we intend to transfer it to another country, and
- whether we do automated decision-making or profiling.

1.2 The legislation that enacts the GDPR (the Data Protection Act 2018) received royal assent on 23 May 2018. The detail of how it would impact on public bodies and local government was unclear until this date, and some of the advice given to parish clerks beforehand has since been modified as the Act has settled into place. Clerks received advice from CALC (via the ICO) that all round compliance on 25 May 2018 was unnecessary. On 13 April 2018, the ICO Commissioner wrote 'For those that still feel there is work to be done – and there are many of those too – I want to reassure you that there is no deadline. 25 May is not the end. It is the beginning.'

This was interpreted as meaning that full compliance by the 25 May was not required, but that there should be a plan in place by that date to move towards compliance. This parish council's General Privacy Notice was published on the front page of its website on 25 May 2018 to match the date on which the Act took effect.

1.3 The GPN that this council uses is a template supplied by the National Association of Local Councils, and is part of a comprehensive toolkit that was supplied to parish clerks. As part of the preparation for compliance on 25 May, the clerk had begun the process of drafting policies and procedures that would be presented to the public meeting for later approval. The GPN set out a set of statements of purpose that the parish council would move towards, and in many cases had already adopted.

1.4 At the time of writing, the parish council has reviewed and adopted a range of GDPR policies that move it towards complete compliance. With those policies in place, councillors are now equipped to scrutinise the General Privacy Notice and track the reasoning and justification for it.

### 2.0 GPN Annotations

2.1 The document is presented with references to council policies and explanations to put the statements into the wider context of this council's working practices.

### 3.0 Sources

3.1 The policy has been extracted from the NALC GDPR Toolkit (updated August 2018), guidance from the ICO and Simon Mansell, Corporate and Information Governance Manager & Data Protection Officer, Cornwall Council.

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