

Data Protection Act Policy

Introduction

1. The Data Protection Act 1998 places legal responsibilities for the management of personal information on the County Council.
2. Individuals who provide us with their information have the legal right to expect that we will manage their information according to the Data Protection Principles.
3. Individuals also have the legal right to check that we are handling their information accordingly.

Scope of this Policy

4. This policy applies to all Members and Officers of the County Council.

Responsibilities

5. The responsibility for ensuring compliance with legal obligations by the County Council lies with the Monitoring Officer.
6. Requests for information or “subject access requests” will be dealt within Departments with advice and support from the Data Protection Officer.
7. Social care related subject access requests will be dealt within social care teams with advice and support from the Investigations Team.
8. All Members and Officers should familiarise themselves with this Policy and the Policy Guidance [[hyperlink](#)] available on the intranet.
9. The County Council will arrange and meet the cost of annual notification for all Members with the Information Commissioner. This will be in consultation with the Data Protection Officer who will be responsible for notification with the Information Commissioner on behalf of the County Council as a “data controller”.

Relationship with other policies

10. This policy should not be read in isolation. It has links to the provision of environmental and other more general information and the

management of recorded information including emails. In particular this policy should be read in conjunction with the Council's:

- a) Freedom of Information Act Policy
- b) Environmental Information Regulations Policy
- c) Email Usage Policy
- d) Information Management Policy
- e) Information Security Policy

How will we approach Data Protection?

11. The County Council is committed to protecting personal information and promoting confidence in its handling and use.
12. The County Council will endeavour to deal with subject access requests within 40 calendar days.
13. The County Council will give free access for employees to their personal files.
14. Specialist Officers will deal with social care "subject access requests" because of the particular sensitivities involved in that information.
15. All other "subject access requests" will be dealt with by Members and Officers in conjunction with the Data Protection Officer.
16. The County Council will use the charging scale issued by the Information Commissioner.
17. The County Council will keep this policy under review.