



DATA PROTECTION POLICY

MAY 2018

Deeping House
Welland Terrace
Spalding
Lincs
PE11 2TD



DATA PROTECTION POLICY

The Board collect and use certain types of information about people with whom we deal with in order to carry out our day to day functions. These may include members of the public; current, past and prospective employees; clients; customers and suppliers. In addition, we may be required by law to collect and use information in order to comply with various legislation.

The Data Protection Act 2018 (DPA) and the General Data Protection Regulation (GDPR) regulates the processing of information relating to data subjects. Data subjects are identified or identifiable living individuals to whom personal data relates. The Welland & Deepings IDB (the Board) is a data controller as defined by Article 4 (7) GDPR.

The Board has undertaken a data audit and recorded the process activities it undertakes under Article 30 (1) of the GDPR.

This policy sets out how the Board complies with the principles, processes data and individuals' rights with regard to that data.

1. Data Protection Principles

The GDPR (Article 5) states six Data Protection Principles relating to the processing of personal data. These are listed below along with how the Board complies with these principles in italics.

- (a) Personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject.

The Board processes data under Article 6(e) Public Task, being "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 controller". The Land Drainage Act 1991 is the primary legislation that states the duties of an Internal Drainage Board.

- (b) Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall, in accordance with Article 89(1), not be considered to be compatible with the initial purposes ('purpose limitation').

The data that the Board collects is not used for any other purpose that is incompatible with the reason it was collected for. The Board does not undertake any form of direct marketing or sell information to any third party organisations.

- (c) Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed ('data minimisation').

The Board only collects the minimum of data for the task required. The Board do not process any special category data as per Article 9 GDPR.

- (d) Accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay ('accuracy').

Data is kept up to date and details sent to us updated promptly.

- (e) Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) subject to implementation of the appropriate technical and organisational measures required by this Regulation in order to safeguard the rights and freedoms of the data subject ('storage limitation').

Data is not kept for longer than necessary, our Document Retention and Destruction policy gives further information on the data we hold and how long we hold it for.

- (f) Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ('integrity and confidentiality').

The Board uses a variety of measures to ensure the above is complied with. This includes various security measures such as passwords, encryption, policies and staff training.

2. **Individual Rights**

Individuals have certain rights with regard to the data we hold about you. The GDPR gives the following rights for individuals.

- (a) **The right of access**

As a data subject you have the right to have a copy of the data we hold about you. You are only entitled to a copy of your data and not that of your family or any other data subject.

If you request data from us it will be provided free of charge unless the request is manifestly unfounded or excessive.

Information will be provided within one month of request. If your request is complex or numerous this may be extended to a further two months. We will inform you if this extension is necessary.

We will need to verify your identity before we release any information.

(b) The right of rectification

You have the right to have any inaccurate personal data rectified. If we have got something wrong we will correct it as soon as possible.

(c) The right to restrict processing

If we have got something wrong you have the right to stop us processing it until it is put right.

(d) The right to object

The Board do not undertake any direct marketing and it is therefore unlikely that this right would apply to any data we hold.

(e) The right not to be subject to automated decision-making including profiling

The Board do not undertake any automated decision-making or profiling of data.

(f) The right of erasure

The Board's lawful basis of processing is public task which is exempt from this right GDPR Article 17(2b).

(g) The right to data portability

The Board's lawful basis of processing is public task which is exempt from this right GDPR Article 20(3).

3. **Data Breaches**

A data breach occurs if your data we hold is lost, hacked, corrupted or sent to unauthorised persons.

A record will be kept of any breaches, along with the action we have taken. All breaches will be recorded, even if there is no duty to report.

If a data breach is likely to result in a risk to the rights and freedoms of natural persons, notification of the breach will be notified to the Information Commission within 72 hours. In these circumstances the data subject will also be informed of the breach.

4. **Data Protection Officer**

The Data Protection Officer for the Welland and Deepings Internal Drainage Board, Deeping House, Welland Terrace, Spalding, Lincs, PE11 2TD, is Mrs K M Daft. Any queries or access requests should be forwarded to info@wellandidb.org.uk and headed Data Protection Officer.

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