

# Appropriate Policy Document

This is the Appropriate Policy Document for Hart District Council that sets out how we will protect special category and criminal offence data.

It meets the requirement in paragraph 1 of Schedule 1 to the Data Protection Act 2018 that an appropriate policy document be in place where the processing of special category data is necessary for the purposes of performing or exercising obligations or rights which are imposed or conferred by law on the Data Controller or the data subject in connection with employment, social security or social protection.

It also meets the requirement in paragraph 5 of Schedule 1 to the Data Protection Act 2018 that an appropriate policy document be in place where the processing of special category data is necessary for reasons of substantial public interest. The specific conditions under which data may be processed for reasons of substantial public interest are set out at paragraphs 6 to 28 of Schedule 1 to the Data Protection Act 2018.

## Procedures for securing compliance

Article 5 of the UK General Data Protection Regulation sets out the data protection principles. These are our procedures for ensuring that we comply with them.

### Principle 1

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

Hart District Council will:

- Ensure that personal data is only processed where a lawful basis applies, and where processing is otherwise lawful;
- Only process personal data fairly, and will ensure that data subjects are not misled about the purposes of any processing;
- Ensure that data subjects receive full privacy information so that any processing of personal data is transparent.

### Principle 2

Personal data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.

Hart District Council will:

- Only collect personal data for specified, explicit and legitimate purposes, and we will inform data subjects what those purposes are in a Privacy Notice;

- Not use personal data for purposes that are incompatible with the purposes for which it was collected. If we do use personal data for a new purpose that is compatible, we will inform the data subject first.

### **Principle 3**

Personal data shall be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.

Hart District Council will only collect the minimum personal data that we need for the purpose for which it is collected. We will ensure that the data we collect is adequate and relevant.

### **Principle 4**

Personal data shall be accurate and, where necessary, kept up to date.

Hart District Council will ensure that personal data is accurate and kept up to date where necessary. We will take particular care to do this where our use of the personal data has a significant impact on individuals.

### **Principle 5**

Personal data shall be kept in a form which permits identification of data subjects for as long as is necessary for the purposes for which the personal data are processed.

Hart District Council will only keep personal data in identifiable form as long as is necessary for the purposes for which it is collected, or where we have a legal obligation to do so. Once we no longer need personal data it will be reviewed, securely disposed of, pseudonymised or anonymised.

### **Principle 6**

Personal data shall be processed in a manner that ensures appropriate security and confidentiality of the personal data, including protection against unauthorised or unlawful access to or use of personal data for the processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

Hart District Council will ensure that the appropriate organisational and technical measures are in place to protect personal data.

### **Accountability principle**

The Data Controller shall be responsible for and be able to demonstrate compliance with these principles. Our Data Protection Officer is responsible for monitoring Hart District Council's compliance with these principles.

- Ensure that records are kept of all personal data processing activities, and that these are provided to the Information Commissioner on request;
- Conduct a Data Protection Impact Assessment for any high risk personal data processing, and consult the Information Commissioner if appropriate;

- Ensure that the Data Protection Officer provides independent advice and monitoring of the departments' personal data handling, and that this person has access to report to the Senior Leadership Team;
- Have in place internal processes to ensure that personal data is only collected, used or handled in a way that is compliant with the data protection laws.

### **Data Controller's policy regarding retention and disposal of personal data**

We will ensure, where special category and criminal offence data is processed, that:

- There is a record of that processing;
- Where we no longer require special category and criminal offence data for the purpose for which it was collected, we will review it, securely dispose of it, pseudonymise it or anonymise it;
- Data subjects receive key privacy information about how their data will be processed, including how long their data will be kept for.

### **Review**

This document will be reviewed every two years.

### **Further information**

For further information about Hart District Council's compliance with data protection laws, please e-mail [data.protection@hart.gov.uk](mailto:data.protection@hart.gov.uk).