**Report of the Clerk to Governance Committee 2nd September 2024**

**Data Audit**

An example of a Data Audit was presented to Governance Committee in January 2024 and it was resolved GOV2324/90 that a Data Audit was brought to a future Governance Committee for approval.

**Why do we need a Data Audit?**

**Data Protection Legislation**

* Primary legislation is the Data Protection Act 2018 supplemented by and applied by the General Data Protection Regulation 2018.
* BTC references Data Protection in its Standing Orders (SO 12 Records Management and SO 21 responsibilities under the legislation).
* BTC’s Governance Committee, in its Terms of Reference, has responsibility for Data Protection and relevant policies and forms are reviewed regularly via this Committee and then Full Council.

**Some Key principles of data protection which a Data Audit enables us to focus on**:

#### Personal data must be processed lawfully, fairly and transparently in a manner which ensures appropriate security and protection. Accountability is key.

#### Personal data should only be used for a specific processing purpose that it was gathered for and the individual (‘data subject’) should be made aware of this and no other purpose can be added, without further consent. Data must be deleted when it is no longer needed.

#### Data collected should be adequate, relevant and limited i.e., only the minimum amount of data should be kept for specific processing and it must be accurate and where necessary kept up to date. Personal data should not be stored for longer than is necessary, and storage should be safe and secure.

* Baildon Town Council (BTC) as an organisation is the Data Controller and the Clerk is the Data Processor. This means that BTC is responsible for overall compliance with legislation and the Clerk oversees processing and management of data by all staff and councillors.

**Summary of the Core documents required by Baildon Town Council (BTC)**

* A Data Protection and Security Policy (approved GOV2324.89.1)
* Consent Form for data subjects to complete to opt-in their consent.
* **A Data Audit**
* Records Management and Retention Policy and Procedure (approved GV1819/101. April 2019 – needs review)
* Privacy Policy (<https://www.baildontowncouncil.gov.uk/privacy>)
* Privacy Notice - Staff and Volunteers (approved GOV2324/89.2)
* Subject Access Request form (approved GOV2324/89.2)
* BTC uses the ICO’s reporting form for personal data breaches.
* Training in GDPR was resolved by Staffing Sub Committee for all staff

**Committee is asked to resolve**:

* To approve the Data Audit and delegate to the Clerk its maintenance and implementation
* That the Clerk brings a revised Records Management and Retention Policy and Procedure to a future Governance Committee
* That the Clerk brings a draft Consent Form for data subjects to opt-in consent to a future Governance Committee
* The Clerk is asked to promote GDPR training for all councillors and to share the results of the Staff Training once it is delivered.