



NEW FOREST NATIONAL PARK AUTHORITY (NPA)

DATA PROTECTION POLICY

1. Introduction

- 1.1 We need to collect and use certain types of information about people in order to carry out our day to day operations. In general, we hold individuals' contact and other information in order to help us to achieve our key purposes of conservation and enhancement, as well as our socio-economic duty. There are also more specific reasons why we need to use individuals' information, and these vary depending on the service or project in question. For example, some processing of personal data is necessary for the performance of our statutory functions such as planning and enforcement.
- 1.2 When individuals supply any personal information to us we have some legal obligations in the way we deal with it. Recent legislation changes the emphasis on how organisations process individuals' personal data. The starting point is that people's personal data belongs to them and not to us, and privacy and security need to be at the heart of everything we do. In brief, we must collect the information fairly – for example, we must collect it only on the bases set out in the legislation, we must hold it securely, we must explain how we will use it to the individuals(s) in question, and we must comply with individuals' rights over their information.

2. Good data protection principles and practices

- 2.1 Personal information must be dealt with properly however it is collected, recorded and used – whether on paper, in a computer or other material. This is not only because we need to comply with the relevant law, including the EU General Data Protection Regulation 2016 (GDPR), the UK Data Protection Act 2018, and the EU and UK rules on electronic marketing. It is also because the fair and lawful treatment of personal information is regarded as very important to the successful operation of our business and to maintaining the confidence of the individuals and organisations with whom we have contact. **All staff must remember that personal data belongs to the individuals to whom it relates, and not to the NPA.**
- 2.2 We take the key principles of data protection very seriously. Article 5 of the GDPR requires that personal information must be:
 - processed lawfully, fairly and transparently;
 - collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
 - adequate, relevant and limited to what is necessary for those purposes;

- accurate and, where necessary, kept up to date;
- 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; and
- processed securely.

2.3 The NPA must always have an Information and Data Protection Officer. At present this is Jo Murphy (jo.murphy@newforesnpa.gov.uk, 01590 626653). Staff are encouraged to discuss all the processing of individuals' personal data that they undertake with the Information and Data Protection Officer. Among other duties, the Information and Data Protection Officer will regularly review our data protection practices and policies to ensure best practice, and will ensure proper training for staff and members takes place.

3. What personal data do we process?

3.1 We collect information from individuals in these categories, among others:

- Users of the planning service;
- People who complain about enforcement matters, and the people who own the relevant sites;
- Other users of particular services, such as people interested in the work of the New Forest Land Advice Service, people complaining or asking for information, and those who subscribe to newsletters;
- Volunteers;
- People who use our website (see 'cookies' section below);
- Parish Councillors;
- Job applicants, employees and members of the NPA;
- People who work for other stakeholders in the New Forest who contact us, such as employees of the Forestry Commission or NFDC;
- People who use and respond to our social media pages and posts;
- People we meet at our outreach events, including the work we do with schools, at the New Forest Show, the Volunteering Fair, or in connection with particular projects; and
- People who fill in surveys and consultations.

3.2 Personal data is more than just names and contact details and signatures. It is any information that relates to an individual even if, on its own, it is not enough to identify them. It includes biometric data and even computer cookies.

3.3 Information can be collected by way of the website, social media, through specific forms, at our offices, by phone or email, or at events.

4. How we hold and process information

4.1 We must ensure that we:

- Build in good data protection as a default in everything we do;
- Fully observe the conditions regarding fair collection and use of information and meet the principles of good data protection practices set out in the GDPR;
- Ensure that we fully assess the privacy implications of our personal data processing, establish and – importantly – audit our lawful basis for this processing, and be keep people informed using privacy notices;

- Seek consent where necessary and file it with the relevant records, and ensure we comply with the conditions of consents we have obtained;
- Train our staff and members on data protection;
- Collect and process appropriate information only to the extent that it is needed to fulfil operational needs or to comply with any legal requirements;
- Ensure the quality of information used;
- Keep our retention schedule up to date and apply checks to determine the length of time information is held;
- Ensure that we comply with individuals' personal data rights as detailed in the legislation;
- Seek continuous improvement in our records management practices;
- Deal with all enquiries about the handling of personal information promptly and courteously;
- Take particular care when dealing with information that is categorised as especially sensitive in the relevant legislation, and information that relates to children and vulnerable adults;
- Take appropriate technical and organisational measures to safeguard personal information; and
- Ensure that personal information is not transferred abroad without suitable safeguards.

4.2 In more detail, we must always think hard about our lawful basis for processing. In some cases we need individuals' contact information so that we can provide services or information that have been requested, such as planning applications or information requests. In some cases we might need some information that goes beyond contact details – for example, if someone is making a planning application we might need some information on how they use or intend to use their home. There may also be times we ask for this sort of information in a formal capacity – for example, during an enforcement investigation we might issue a Planning Contravention Notice. Where we need to use individuals' information for reasons of this type (to allow someone to access a service or respond to an investigation), we do not need to ask for consent to collect and use this information. This is because we have to use it in our capacity as the local planning authority or because we have another good reason why we need to use the information. In these cases, staff need to make sure they are clear that this is the case and if necessary consult the Information and Data Protection Officer.

4.3 There may also be times that we do not actually need individuals' contact information but we would like to use it in order to keep people informed about and/or invite them to participate in events and services that might interest them, or to share e-news with them. Occasionally we also collect information from individuals that goes beyond contact details – for example, volunteering interests or availability. In all these circumstances we will let the relevant individuals know that that is how their information will be used when we collect it, and where necessary we will ask for consent for this. Again, staff are encouraged to consult the Information and Data Protection Officer for help and guidance on how to do this.

4.4 We take individuals' privacy very seriously. Personal data must never be supplied to anyone outside the NPA without first obtaining the relevant individuals' consent, unless we are obliged by law to disclose it, or it would otherwise be fair to do so and we are permitted by law to use it in this way. An example of when we might be legally obliged to disclose individuals' data would be if the police ask to see some information to help them to solve a crime or to protect someone. An example of where it might otherwise be lawful for us to disclose data would be if someone made

a request for information under the Freedom of Information Act. In these circumstances we would carefully consider whether it would be appropriate and fair to disclose individuals' data, including factors such as what we think the individual in question might expect us to do with their data and whether they have consented to its release. If we would like to share individuals' information with third parties for reasons such as that it would be useful to us or them – for example, sharing with other stakeholders on a joint project, or with planning consultants, or with bodies to which we might outsource types of administration such as payroll – we will always let the individuals know, and where necessary we will ask for explicit consent. Again, staff are advised to consult the Information and Data Protection Officer as necessary.

- 4.5 Staff are reminded to keep personal data secure at all times. This means complying with the ICT Policy, introducing good filing practices such as locking paper copies away, and deleting or securely destroying data when the purpose for collecting it is fulfilled. There are confidential (blue) waste bins provided on every floor for staff use.
- 4.6 Any requests received from individuals for the exercise of their information rights must be forwarded to the Information and Data Protection Officer as soon as possible.