

BREASTON PARISH COUNCIL
Data Protection Policy
Adopted February 2015

1. THE CODE OF RECOMMENDED PRACTICE FOR LOCAL AUTHORITIES ON DATA TRANSPARENCY

From 28 September 2011, a new code of recommended practice on data transparency ('the Code') applies to parish councils with a gross annual income or expenditure (whichever is the higher) of at least £200,000, all principal authorities and other bodies (as defined) such as police, fire and rescue and National Park authorities in England.

Parish councils with a gross annual income or expenditure below £200,000 and parish meetings without separate councils are **not** subject to the Code.

Pursuant to his powers in section 2 of the Local Government, Planning and Land Act 1980 (the 1980 Act), the Secretary of State has issued the Code as recommended practice as to the publication of types of information by certain authorities concerning the discharge of their functions and the steps which they must take to inform the public of the availability of that information.

The Code explains the principles which underpin the need and means for publication of certain data by the authorities which are subject to it.

Paragraph 12 of the Code states:

As a minimum, the data that should be released to the public include:

- Expenditure over £500, (including costs, supplier and transaction information). Any sole trader or body acting in a business capacity in receipt of payments of at least £500 of public money should expect such payments to be transparent.
- Senior employee salaries, names (with the option for individuals to refuse to consent to their names to be published), job descriptions, responsibilities, budgets and numbers of staff. 'Senior employee salaries' is defined as all salaries which are above £58,200 and above (irrespective of post), which is the Senior Civil Service minimum pay band. Budgets should include the overall salary cost of staff reporting to each senior employee.
- An organisational chart of the staff structure of the local authority including salary bands and details of currently vacant posts.
- Councillor allowances and expenses.
- Copies of contracts and tenders to businesses and to the voluntary

community and social enterprise sector.

- Grants to the voluntary community and social enterprise sector
- Policies, performance, external audits and key inspections and key indicators on the authorities' fiscal and financial position.
- The location of public land and building assets and key attribute information that is normally recorded on asset registers and
- Data of democratic running of the local authority including the constitution, election results, committee minutes, decision - making processes and records of decisions

Paragraphs 13 - 16 of the Code confirm that authorities should make the above data available electronically and in computer readable formats.

Paragraphs 17 - 19 of the Code confirm data should be published as soon as possible and revisions to data should make clear where and how there has been an amendment to the data.

The Code should be read in full and is available on the Department of Community and Local Government's website using the following weblink.

<http://www.communities.gov.uk/publications/localgovernment/transparencycode>

The Code constitutes a **recommended** practice for the authorities which are subject to it.

The Code does **not** replace or supersede the existing framework for access to information provided by existing legislation such as the Freedom of Information Act 2000, Environmental Information Regulations 2004 and the Data Protection Act 1998. The Code is intended to ensure that the authorities which are subject to it meet existing statutory obligations and encourages them to proactively publicise more data to increase their accountability to the public.

Pursuant to section 3 of the 1980 Act, the Secretary of State may however make regulations which require authorities to whom the Code applies to publish the specified information in the manner and form contained in the Code if in his opinion this is necessary to ensure that authorities do so.