

OVW

For Information - The General Data Protection Regulation (GDPR) - ICO statement for town and community councils

The General Data Protection Regulation (GDPR) requires all public authorities to appoint a Data Protection Officer (DPO). The new Data Protection Act (when passed) will define 'public authority', but it is likely to have the same definition that is in the Freedom of Information Act 2000 (FOIA) and therefore includes all councils.

The Information Commissioner is sympathetic to the challenges that appointing a Data Protection Officer (DPO) may pose for parish and town councils, especially those with limited budgets. She has already acknowledged that smaller councils are unlikely to hold large amounts of personal data, and as a result tend to be less prepared for regulatory changes. But regardless of size, if councils hold personal information, from 25 May 2018, the General Data Protection Regulation (GDPR) applies.

The Commissioner has said previously that the GDPR is a journey rather than a destination. She will be looking to councils to demonstrate that they are committed to making progress towards embedding the right processes and procedures. She wants to reassure councils that if they have a positive attitude to finding practical solutions to some of the challenges of implementation, they will find a pragmatic, fair and proportionate regulator.

In the meantime, we recognise that there's still plenty of work parish and town councils need to do to implement the [necessary steps](#) to comply with GDPR. We've already provided a lot of tools and support to help with these steps, including our [Guide to the GDPR](#), [frequently asked questions](#), [toolkit](#) and [helpline](#) for smaller organisations.

We're also committed to working closely with the National Association of Local Councils (NALC) and the Society of Local Council Clerks (SLCC) to consider alternative solutions to the specific issue of appointing DPOs. For example, we see promise in the idea of developing a shared DPO service allowed under Article 37(3). Whilst such a shared service may not be an immediate fix in time for 25 May, it could in the long term enable smaller councils to manage their data protection requirements effectively.

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