

General Data Protection Regulation – application to parish meetings

Recent legal briefings have confirmed that (i) the General Data Protection Regulation (“GDPR”) will come into force on 25 May 2018 and (ii) the Data Protection Bill will repeal the Data Protection Act 1998 to ensure that there are no inconsistencies with the GDPR and to apply the GDPR standards after Brexit.

The Data Protection Bill was published on 14 September and can be viewed via the following link - <https://publications.parliament.uk/pa/bills/lbill/2017-2019/0066/18066.pdf>

The purpose of this briefing is to confirm that the GDPR applies to a parish meeting without a separate parish council and requires it to appoint a Data Protection Officer (“DPO”) because it is a public authority. Clause 6 of the Data Protection Bill confirms that for the purposes of the GDPR, the Bill uses the definition of public authorities used in the Freedom of Information Act 2000 which includes a parish meeting constituted under s. 13 of the Local Government Act 1972.

Article 37 of GDPR confirms that (i) the DPO may be a member of staff or fulfil the tasks on the basis of a service contract and (ii) a single DPO may be designated for a group of public authorities taking into account their structure and size e.g. the same DPO could be the DPO for a group of parish meetings.

More information about DPOs is in [Legal Briefing L04-17](#).