

Great Tey Parish Council

Data Protection Policy

1. Purpose:

Great Tey Parish Council ("the Council") is committed to protecting personal data and handling information lawfully, fairly, transparently, and securely in accordance with the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018 (DPA), and related legislation.

This Policy explains how the Council collects, uses, stores, protects, and manages personal data, and sets out the rights and responsibilities of individuals whose data is processed by the Council.

The Council recognises that data protection is an ongoing responsibility and forms an essential part of good governance, accountability, and public trust.

2. Scope:

This Policy applies to all personal data processed by the Council, including information relating to:

- Councillors
- Employees and former employees
- Job applicants
- Contractors and service providers
- Volunteers
- Members of the public
- Residents, tenants, allotment holders, and correspondents

This Policy applies to both electronic and paper records.

3. Responsibility for Data Protection:

The Council has appointed the Parish Clerk as the lead officer responsible for data protection compliance.

Questions about this Policy or requests for further information should be directed to:

Parish Clerk

Great Tey Parish Council

The Council may seek external specialist advice where necessary.

4. Definitions:

Personal Data:

Any information relating to an identified or identifiable living individual.

Processing:

Any operation performed on personal data including collecting, recording, storing, organising, sharing, amending, deleting, or destroying data.

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Special Category Data:

Personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health information, sex life or sexual orientation, and genetic or biometric data.

Criminal Records Data:

Information relating to criminal convictions, offences, allegations, or proceedings.

ICO:

The Information Commissioner's Office, the UK's independent authority for data protection.

5. Data Protection Principles:

The Council will comply with the seven principles of data protection law.

Lawfulness, Fairness and Transparency:

The Council will process personal data only where there is a lawful basis to do so and will be clear about why information is collected and how it is used.

Purpose Limitation:

Personal data will only be collected for specified, explicit, and legitimate purposes and will not be used for unrelated purposes without lawful authority.

Data Minimisation:

The Council will collect only the personal data necessary for the relevant purpose.

Accuracy:

The Council will take reasonable steps to ensure personal data is accurate and kept up to date.

Storage Limitation:

Personal data will only be retained for as long as necessary and in accordance with the Council's retention arrangements.

Integrity and Confidentiality (Security):

The Council will protect personal data against unauthorised access, loss, destruction, misuse, or disclosure through appropriate technical and organisational measures.

Accountability:

The Council will maintain records, policies, procedures, and evidence demonstrating compliance with data protection legislation.

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6. Lawful Basis for Processing:

The Council will process personal data only where one or more lawful bases apply, including:

- Performance of a contract
- Compliance with a legal obligation
- Performance of a task carried out in the public interest or under official authority
- Legitimate interests pursued by the Council or a third party
- Protection of vital interests
- Consent, where required

Where consent is relied upon, individuals may withdraw consent at any time.

The Council will not use personal data for unrelated purposes without informing individuals and identifying the lawful basis for the new processing.

7. Special Category and Criminal Records Data:

The Council will process special category or criminal records data only where permitted by law and where appropriate safeguards are in place.

This may include processing necessary for:

- Employment law obligations
- Occupational health purposes
- Legal claims
- Safeguarding
- Substantial public interest reasons
- Protecting vital interests

Where explicit consent is required, it will be obtained and may be withdrawn.

8. Privacy Notices:

The Council will provide privacy notices explaining:

- What personal data is collected
- Why it is collected
- The lawful basis for processing
- How long data is retained
- Who data may be shared with
- Individual rights

Privacy notices will be reviewed regularly and updated where processing activities change.

9. Data Mapping and Records of Processing:

The Council will maintain a data map and records of processing activities to document:

- What data is held
- Why it is held
- Where it is stored

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- Who has access
- Retention periods
- Security arrangements
- Third-party processors

The data map must be updated whenever new processing activities, services, suppliers, systems, or categories of personal data are introduced.

Where a new purpose for processing personal data is identified, data protection considerations must be addressed from the outset.

10. Data Protection Impact Assessments (DPIAs):

The Council will carry out a Data Protection Impact Assessment (DPIA) where processing is likely to result in a high risk to individuals' rights and freedoms.

DPIAs will be considered whenever:

- New technologies are introduced
- New services are developed
- Sensitive personal data is processed
- Large-scale processing occurs
- Existing processing changes significantly

11. Individual Rights:

Individuals have rights under data protection legislation, including:

- The right to be informed
- The right of access
- The right to rectification
- The right to erasure
- The right to restrict processing
- The right to object
- The right to data portability
- Rights relating to automated decision-making
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Subject Access Requests:

Requests should be made to the Parish Clerk.

The Council will normally respond within one month unless the request is particularly complex or excessive.

Proof of identity may be required before a request is processed.

The Council will maintain a log of rights requests to monitor compliance, identify delays, and improve procedures where necessary.

12. Data Security:

The Council will implement appropriate technical and organisational measures to safeguard personal data.

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Security measures may include:

- Password protection
- Secure email systems
- Locked filing cabinets
- Encryption where appropriate
- Restricted access to records
- Secure disposal of documents
- Regular software and security updates

The Council will also ensure that third-party processors maintain appropriate security standards through written agreements and confidentiality obligations.

13. International Transfers:

The Council does not routinely transfer personal data outside the United Kingdom.

Where international transfers are necessary, they will only occur where lawful safeguards are in place and appropriate authorisation has been obtained.

The Council will consider where cloud providers and third-party suppliers store data, including server locations outside the UK.

14. Data Breaches:

The Council recognises that data breaches can occur despite good practice and encourages a culture of prompt reporting without blame.

Any actual or suspected data breach must be reported immediately to the Parish Clerk or Chair of the Council.

Examples of breaches include:

- Emails sent to the wrong recipient
- Lost paperwork or devices
- Unauthorised access to records
- Accidental disclosure of personal data
- Loss or corruption of files

The Council will:

- Record all breaches
- Assess risks to individuals
- Take remedial action
- Notify the ICO within 72 hours where required
- Inform affected individuals where there is a high risk to their rights and freedoms

The Council may periodically test breach procedures through scenario exercises to ensure preparedness.

15. Individual Responsibilities:

Everyone working for or on behalf of the Council has a responsibility to protect personal data.

Individuals must:

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- Access only data they are authorised to use
- Keep personal data secure
- Use council-approved email accounts and systems
- Not disclose personal data without authority
- Not store council data on personal devices or unsecured local drives
- Secure paper files appropriately
- Follow retention and disposal procedures
- Report concerns, risks, or breaches promptly
- Seek advice where unsure

Failure to comply with this Policy may result in disciplinary action and could constitute gross misconduct.

16. Training and Awareness:

The Council will provide appropriate data protection training to councillors, employees, and relevant contractors.

Training will include:

- Induction training for new councillors and staff
- Refresher training periodically
- Additional training for individuals with specific data protection responsibilities

The Council will encourage a culture where data protection is understood as part of everyday governance and not merely an administrative exercise.

17. Monitoring and Compliance:

Data protection compliance will be monitored as part of routine council operations.

Monitoring activities may include:

- Spot-checks on secure storage practices
- Checking use of council email accounts
- Reviewing retention and disposal arrangements
- Monitoring access controls
- Reviewing handling of rights requests
- Checking processor contracts
- Reviewing privacy notices and policies

Spot-checks are intended to identify issues early and support continuous improvement.

The Council recognises the risks associated with excessive data retention and unmanaged archives. Regular reviews will help ensure unnecessary personal data is identified and securely disposed of.

18. Review of Data Protection Arrangements:

The Council will review its data protection arrangements regularly and at least annually.

The annual review should consider:

- Whether the data map remains accurate
- Whether policies remain current and effective

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- Whether guidance or legislation has changed
- Whether DPIAs have been completed where required
- Whether retention schedules are being followed
- Whether rights requests have been handled properly
- Whether contracts with processors remain appropriate
- Whether privacy notices remain accurate
- Any breaches, complaints, or lessons learned

The Council will record reviews and any actions taken within council minutes or internal records to demonstrate accountability.

19. Continuous Improvement:

The Council will seek to improve data protection practices continuously by:

- Learning from breaches, complaints, and requests
- Monitoring guidance from the ICO, NALC, and county associations
- Improving security and record management arrangements
- Reviewing systems and software
- Reducing unnecessary data holdings

By embedding data protection into routine governance, the Council aims to:

- Maintain compliance efficiently
- Protect individuals' rights
- Build trust with residents and staff
- Promote responsible and transparent handling of personal data

20. Status of this Policy:

This Policy is non-contractual and may be amended by the Council at any time to reflect changes in legislation, guidance, operational practice, or organisational structure.