

WITHYHAM PARISH COUNCIL

DATA PROTECTION POLICY

Responsibility:	Council
Review Cycle:	Annually
Date of Adoption/Renewal:	May 2026
Date for Review:	May 2027

1. Introduction

1.1 The council holds and processes information about employees, councillors, residents, customers, suppliers, and other data subjects for administrative, governance, and operational purposes.

1.2 This policy ensures compliance with the **Data Protection Act 2018 (DPA 2018)** and the **UK General Data Protection Regulation (UK GDPR)**. All councillors, staff, and contractors who handle personal data must adhere to these legal obligations.

1.3 The council recognises that it holds a wide range of data types, including:

- Names, addresses, contact details, and other personal information
 - Email communications
 - Images, photographs, and video recordings
 - Financial or payment information
 - Records of correspondence, complaints, and meeting notes
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2. Data Protection Principles

2.1 The council adheres to the following principles under the DPA 2018/UK GDPR: personal data must:

- Be processed lawfully, fairly, and transparently
 - Be collected for specified, explicit, and legitimate purposes
 - Be adequate, relevant, and limited to what is necessary
 - Be accurate and kept up to date
 - Not be kept longer than necessary
 - Be processed in accordance with individuals' rights
 - Be kept secure from unauthorised or unlawful processing, accidental loss, damage, or destruction
 - Not be transferred outside the UK or to countries without adequate protection, except where safeguards are in place
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3. Responsibilities

3.1 Council Responsibility

Withyham Parish Council is the **Data Controller** and must ensure all processing complies with UK GDPR and DPA 2018.

3.2 Data Protection Officer

The Local Council Public Advisory Service, in partnership with the Clerk, acts as the council's Data Protection Officer and is responsible for:

- Ensuring lawful, fair, and transparent data processing
- Maintaining the quality and accuracy of information
- Specifying retention periods in line with the **Document Retention Scheme**
- Ensuring the rights of data subjects are upheld
- Implementing appropriate technical and organisational security measures
- Ensuring personal data is not transferred abroad without suitable safeguards
- Training and supervising all staff handling data

3.3 Councillor and Staff Responsibility

Councillors and Staff are responsible for ensuring the proper management of any personal data they handle, including:

- Undertaking **annual “data cleaning” of councillor email accounts** to remove unnecessary or outdated information
- Following council procedures for secure storage, retention, and deletion of data

3.4 Project Data Assessments

All new projects involving personal data must be assessed using:

- **Data Protection Impact Assessments (DPIAs)**
- **Legitimate Interests Assessments (LIAs)**

in accordance with the Withyham Parish Council GDPR Toolkit.

4. Storage and Retention

4.1 Personal data may be stored in:

- Paper-based records
- Password-protected computer systems
- Cloud-based systems approved by the council

4.2 Retention periods vary depending on legal, operational, or financial requirements. Detailed retention schedules are provided in the **Document Retention Scheme**.

5. Access to Information

5.1 Data subjects (employees, councillors, residents, customers) have the right to:

- Request the personal information the council holds about them
- Understand the purposes for which it is used
- Receive a copy of the information
- Know any third parties to whom it is disclosed
- Request correction of inaccurate or incomplete data

5.2 Requests for correction must be acknowledged within **21 days**, and individuals informed whether the amendment has been made.

6. Data Security and Breaches

6.1 Compliance with data protection legislation is the responsibility of all councillors, staff, and volunteers.

6.2 Any deliberate or reckless breach of this policy may lead to disciplinary action, civil claims, or criminal prosecution under the DPA 2018.

6.3 Suspected breaches must be reported immediately to the Clerk. Where necessary, the **Information Commissioner's Office (ICO)** may be notified at: Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

7. Review

This policy will be reviewed **annually** or sooner in response to legislative changes or significant changes in council practices.
