

EAST BEDLINGTON

Parish Council



DATA PROTECTION POLICY

Date Of Policy	February 2024
Approving Committee	Full Council
Minute Number	
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Date of Next Review	March 2026

1. Purpose and Scope

East Bedlington Parish Council is committed to protecting the privacy and security of personal data. This policy sets out how the Council complies with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018, and reflects sector-specific guidance from the National Association of Local Councils (NALC) and the Society of Local Council Clerks (SLCC).

It applies to all personal data processed by the Council, including information relating to residents, councillors, staff, contractors, volunteers, and service users.

This policy covers all processing activities undertaken by the Council, whether digital or paper-based, and applies to councillors, employees, and anyone acting on behalf of the Council.

2. Definitions

- **Personal Data** — Any information relating to an identifiable living individual.
- **Special Category Data** — Sensitive data such as health, ethnicity, political opinions, religious beliefs, trade union membership, genetics, biometrics, or sexual orientation.
- **Processing** — Any operation performed on personal data, including collecting, storing, sharing, or deleting it.
- **Data Subject** — The individual whose data is being processed.
- **Data Controller** — East Bedlington Parish Council, which determines how and why personal data is processed.
- **Data Processor** — Any third-party processing data on behalf of the Council.

3. Data Protection Principles

In accordance with UK GDPR, the Council ensures that personal data is:

1. **Processed** lawfully, fairly, and transparently.
2. **Collected** for specified, explicit, and legitimate purposes.
3. **Adequate**, relevant, and limited to what is necessary.
4. **Accurate** and kept up to date.
5. **Retained** only for as long as necessary for the purpose collected.
6. **Processed** securely, protecting against unauthorised access, loss, or damage.

These principles underpin all Council data-handling activities.

4. Lawful Bases for Processing

The Council will only process personal data where a lawful basis applies. Common bases include:

- **Public Task** — Most Council functions, including responding to enquiries, managing assets, and delivering statutory duties.
- **Legal Obligation** — Compliance with legislation such as financial regulations, employment law, or freedom of information requirements.
- **Contract** — When entering into or managing contracts with suppliers or employees.
- **Consent** — For optional communications or activities where no other lawful basis applies.
- **Legitimate Interests** — Limited use where appropriate and proportionate.

Special category data will only be processed under the additional conditions permitted by law.

5. Data Processing Activities

The Council maintains a Record of Processing Activities (ROPA), as recommended by NALC and SLCC, documenting:

- What data is held
- Why it is processed
- Who it is shared with
- How long it is retained
- Security measures in place

Typical processing includes:

- Correspondence with residents
- Management of allotments, events, and community facilities
- Financial administration
- Employment and HR records
- Councillor contact details
- CCTV (if applicable)
- Website and social media interactions

6. Individual Rights

The Council upholds the rights of individuals under UK GDPR, including:

- Right to be informed
- Right of access (Subject Access Requests)
- Right to rectification
- Right to erasure (where applicable)
- Right to restrict processing
- Right to data portability (rarely applicable to councils)
- Right to object
- Rights related to automated decision-making (not used by the Council)

Requests will be handled within statutory timeframes.

7. Data Sharing and Third Parties

Personal data will only be shared when:

- Required by law
- Necessary for delivering Council services
- The individual has given consent
- A contract or data-sharing agreement is in place

Third-party processors (e.g., payroll providers, website hosts, IT support) must comply with UK GDPR and provide appropriate security assurances.

8. Data Security

The Council implements proportionate technical and organisational measures, including:

- Password-protected devices and accounts
- Secure email practices
- Encrypted storage where appropriate
- Locked filing cabinets for paper records

- Regular backups
- Controlled access to personal data
- Use of official Council email accounts for Council business
- Avoidance of personal devices unless authorised and secured

Councillors and staff must follow the Council's security procedures at all times.

9. Data Breaches

A personal data breach is any incident leading to accidental or unlawful destruction, loss, alteration, unauthorised disclosure, or access to personal data.

The Council will:

- Record all breaches
- Assess risk to individuals
- Notify the Information Commissioner's Office (ICO) within 72 hours where required
- Inform affected individuals when there is a high risk to their rights and freedoms
- Take steps to prevent recurrence

10. Retention and Disposal

The Council follows a Retention Schedule aligned with NALC/SLCC recommendations and legal requirements.

Personal data will be securely destroyed or anonymised when no longer needed.

11. Training and Awareness

All councillors, employees, and volunteers handling personal data will receive appropriate training.

Training will be refreshed periodically and when legislation or Council processes change.

12. Data Protection Officer (DPO)

The Council will appoint a Data Protection Officer if legally required or if it chooses to do so voluntarily.

In the case of Parish Council's the role of DPO is not mandatory, the Clerk will act as the Council's Data Protection Lead.

Contact details will be published on the Council website.

13. Privacy Notices

The Council will publish clear, accessible privacy notices explaining:

- What data is collected
- Why it is used
- Lawful bases
- Retention periods
- Rights of individuals
- How to contact the Council about data protection

Separate notices may be issued for staff, councillors, service users, and website visitors.

14. Policy Review

This policy will be reviewed every two years or sooner if:

- Legislation changes
- NALC/SLCC guidance is updated
- New processing activities are introduced
- A data breach highlights the need for revision

This policy has been prepared with guidance from NALC, SLCC, ICO, the UKGDPR / Data Protection Act 2018. It is designed to be practical, proportionate, and suitable for a small local authority.