

Dalton with Newton Town Council – Data Protection Policy

Introduction

Dalton with Newton Town Council is fully committed to compliance with the requirements of the **UK General Data Protection Regulation (UK GDPR)** and the **Data Protection Act 2018** (together referred to as “data protection legislation”).

The Council will therefore follow procedures and adopt practices to ensure that the **Clerk**, elected members, employees, contractors, agents, consultants, partners, and any other persons working on behalf of the Council who have access to personal data held by or on behalf of the Council are fully aware of, and comply with, their duties and responsibilities under data protection legislation.

Statement of Policy

In order to operate efficiently and effectively, Dalton with Newton Town Council must collect and use certain personal data about individuals. These may include members of the public, current, past and prospective employees, contractors, suppliers, and others with whom the Council has dealings.

In addition, the Council may be required by law to collect and use information to comply with statutory obligations and the requirements of central government and other public bodies.

The Council regards the lawful and correct handling of personal information as fundamental to its successful operation and to maintaining the confidence of those it serves. To this end, the Council is committed to ensuring that personal information is processed lawfully, fairly, and transparently, in accordance with the principles and rights set out in the UK GDPR.

The Data Protection Principles

The UK GDPR sets out **seven key principles** which must be followed when processing personal data. Personal data shall be:

1. **Lawfulness, fairness and transparency:** processed lawfully, fairly and in a transparent manner in relation to the data subject;
2. **Purpose limitation:** collected for specified, explicit and legitimate purposes and not further processed in a manner incompatible with those purposes;

3. **Data minimisation:** adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed;
 4. **Accuracy:** accurate and, where necessary, kept up to date;
 5. **Storage limitation:** kept in a form which permits identification of data subjects for no longer than is necessary;
 6. **Integrity and confidentiality (security):** processed in a manner that ensures appropriate security of personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage; and
 7. **Accountability:** the Council shall be responsible for, and must be able to demonstrate, compliance with these principles.
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Types of Personal Data

Personal data is information relating to an identified or identifiable living individual. Examples include names, addresses, email addresses, and other identifiers such as identification numbers or location data.

Special category personal data includes information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data, health information, or data concerning a person's sex life or sexual orientation. This type of data is subject to stricter processing conditions.

Handling of Personal and Special Category Data

The Town Council will, through appropriate management and strict application of criteria and controls:

- Observe fully all conditions regarding the fair, lawful, and transparent collection and use of personal data;
- Specify clearly the purposes for which personal data is collected and ensure that it is not used for any incompatible purpose;
- Collect and process only such personal data as is necessary for the performance of its duties or to comply with legal requirements;
- Ensure that personal data is accurate, complete, and kept up to date where necessary;
- Apply checks to determine the appropriate retention periods for information held, in accordance with the Council's retention policy;

- Take appropriate technical and organisational measures to safeguard personal data;
 - Ensure that individuals are able to exercise their rights under data protection legislation, including:
 - The right to be informed about the processing of their data;
 - The right of access to their personal data;
 - The right to rectification of inaccurate data;
 - The right to erasure (“the right to be forgotten”);
 - The right to restrict or object to processing;
 - The right to data portability;
 - Rights in relation to automated decision-making and profiling.
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Individual Rights and Access Requests

Any individual whose personal data is held by the Council has the right to request access to that data. Such requests, known as **Data Subject Access Requests (DSARs)**, must be submitted in writing to the **Clerk**, who is responsible for responding within one calendar month, in accordance with statutory requirements.

The Council will not charge a fee for processing a standard access request. However, it may charge a reasonable fee or refuse a request if it is manifestly unfounded, excessive, or repetitive.

Roles and Responsibilities

The **Clerk** acts as the Council’s **Data Protection Officer** and is responsible for:

- Ensuring compliance with data protection legislation;
- Overseeing the implementation of this policy;
- Maintaining appropriate records of processing activities;
- Reporting breaches to the **Information Commissioner’s Office (ICO)** and affected individuals, where legally required; and
- Providing guidance and training to councillors, staff, and others handling personal data on behalf of the Council.

All councillors, employees, and anyone else processing data on behalf of the Council must ensure that they understand and adhere to this policy and the principles of data protection.

Data Protection Fee and Registration

Dalton with Newton Town Council is registered with the **Information Commissioner's Office (ICO)** and pays the appropriate **data protection fee** in accordance with the Data Protection (Charges and Information) Regulations 2018.

The Clerk will review the Council's registration details annually to ensure they remain accurate and up to date.

Data Security and Breach Management

The Council will take all reasonable steps to protect personal data from unauthorised access, accidental loss, destruction, or damage.

In the event of a **data breach**, the Clerk will assess the nature and severity of the incident. Where a breach poses a risk to the rights and freedoms of individuals, it will be reported to the ICO within **72 hours**, and affected individuals will be notified without undue delay.

Review and Implementation

This policy will be reviewed at least **annually** by the Clerk and updated as necessary to reflect changes in legislation, guidance from the Information Commissioner's Office, or best practice.

All councillors, staff, and others processing personal data on behalf of Dalton with Newton Town Council are required to familiarise themselves with this policy and to comply with its provisions.

Adopted by Dalton with Newton Town Council on:

Review Date: