OCKLEY PARISH COUNCIL

Data Protection Policy

1. Introduction

This policy sets out how the Parish Council (the Council) processes personal data in accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018, as amended by the Data (Use and Access) Act 2025 (DUAA).

The Council is committed to ensuring that personal data is handled lawfully, transparently, securely and in line with individuals' rights.

This policy applies to all personal data processed by the Council, whether held electronically or in manual filing systems.

---

2. Roles and Responsibilities

The Council is the Data Controller for the purposes of data protection law.

The Clerk is responsible for overseeing data protection compliance, including:

- Monitoring compliance with this policy
- Managing subject access requests
- Handling data breaches
- Acting as the main point of contact for data protection matters

All staff, Councillors and volunteers are responsible for:

- Complying with this policy
- Ensuring personal data is handled appropriately
- Reporting any data breaches immediately

---

3. Definitions

Personal data: Any information relating to an identified or identifiable individual.

Special category data includes information relating to:

- Race or ethnic origin
- Political opinions
- Religious or philosophical beliefs
- Trade union membership
- Health
- Sex life or sexual orientation
- Genetic or biometric data used for identification

---

4. Data Protection Principles

The Council will comply with the following principles:

1. Lawfulness, fairness and transparency
2. Purpose limitation
3. Data minimisation
4. Accuracy
5. Storage limitation
6. Integrity and confidentiality (security)
7. Accountability

The Council is responsible for demonstrating compliance with these principles at all times.

---

5. Lawful Basis for Processing

The Council will ensure that all processing of personal data is based on at least one lawful basis under Article 6 UK GDPR:

- Consent
- Contract
- Legal obligation
- Vital interests
- Legitimate interests

Where special category data is processed, the Council will also identify a condition under Article 9 UK GDPR.

---

6. Use of Personal Data

The Council processes personal data relating to staff, Councillors, volunteers and other individuals.

Personal data will only be:

- Collected for specified, explicit and legitimate purposes
- Used in a way that is adequate, relevant and limited
- Kept accurate and up to date
- Retained only as long as necessary

The Council will provide privacy notices to individuals explaining how their data is used.

---

7. Data Sharing

Personal data may be shared where necessary and lawful, including:

With regulators

For legal proceedings or advice

To comply with legal obligations

For safeguarding or crime prevention

All disclosures will be assessed on a case-by-case basis and appropriate safeguards applied.

---

8. Security of Personal Data

The Council will implement appropriate technical and organisational measures to protect personal data, including:

- Access controls
- Secure storage systems
- Staff training

Access to personal data will be limited to those who need it for legitimate purposes.

---

9. Data Retention

Personal data will be retained only for as long as necessary and in accordance with the Council's Data Retention Policy.

Data will be securely deleted or destroyed when no longer required.

---

10. Subject Access Requests (SARs)

Individuals have the right to access their personal data under Article 15 UK GDPR.

Requests may be made verbally or in writing.

The Council will:

- Respond within one month of receipt of the request and any required identification
- Request clarification where necessary to locate data
- Apply reasonable and proportionate searches when responding
- Pause the time limit where clarification is required, in line with legal requirements

Information will be provided free of charge unless a request is manifestly unfounded or excessive.

---

11. Individual Rights

Individuals have the following rights:

- Right of access
- Right to rectification
- Right to erasure
- Right to restrict processing
- Right to object
- Right to data portability (where applicable)

The Council will respond to all rights requests within one month.

Individuals also have the right to lodge a complaint with the Information Commissioner's Office (ICO).

---

12. Data Breaches

All personal data breaches must be reported immediately to the Clerk.

The Council will:

- Assess the risk of the breach
- Notify the ICO within 72 hours where required
- Inform affected individuals where there is a high risk to their rights and freedoms

---

13. Training and Awareness

All staff, Councillors and volunteers will receive appropriate data protection training which will be refreshed annually.

---

14. Review of Policy

This policy will be reviewed regularly and updated to reflect changes in legislation and guidance.

Date: 11 May 2026

Next Review Date: May 2029