

Radcliffe on Trent Parish Council

Data Protection Policy

Purpose

Radcliffe on Trent Parish Council is committed to being transparent about how we collect and use personal data. This policy outlines our commitment to data protection, and sets out the rights and responsibilities related to personal data in compliance with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA).

This policy applies to personal data relating to current and former job applicants, employees, workers, contractors, and former employees (collectively referred to as "HR-related personal data"). It does not apply to personal data related to members of the public or other personal data processed for council business.

If you have any questions regarding this policy or require further information, please contact The Parish Council.

Definitions

Personal Data: Any information that relates to an identifiable living person ("data subject"). Personal data can be used on its own, or in conjunction with other data, to identify a person. This includes both automated personal data and manual filing systems. Anonymised data is excluded.

Processing: Any activity involving personal data, such as collection, recording, storing, amending, or destroying it.

Special Categories of Personal Data: Data concerning racial or ethnic origin, political opinions, religious beliefs, trade union membership, health data, sexual orientation, biometric or genetic data, and criminal convictions.

Criminal Records Data: Data related to criminal convictions, allegations, or proceedings.

Data Protection Principles

The Council processes HR-related personal data in accordance with the following principles, as required by GDPR legislation:

- **Lawfulness, Fairness, and Transparency:** Personal data is processed lawfully, fairly, and in a transparent manner.
- **Purpose Limitation:** Personal data is collected for specified, legitimate purposes and is not further processed in a way incompatible with those purposes.
- **Data Minimisation:** Personal data is adequate, relevant, and limited to what is necessary for the processing purposes.
- **Accuracy:** Personal data is accurate and kept up to date. Inaccurate data will be rectified or deleted without delay.
- **Storage Limitation:** Personal data is kept only for as long as necessary to fulfil processing purposes.
- **Integrity and Confidentiality:** Personal data is processed securely, protecting it against unauthorised access, unlawful processing, and accidental loss, destruction, or damage.

The Parish Council will inform individuals about the personal data it processes, the reasons for processing, how long it is retained, and the legal basis for processing in privacy notices.

The Parish Council will not use personal data for purposes unrelated to the original purpose without informing individuals and outlining the legal basis for processing.

A record of processing activities relating to HR-related personal data is maintained, as required by GDPR legislation.

Processing of Personal Data

Personal Data

The Parish Council processes personal data for the following lawful bases under GDPR legislation:

- **Contractual necessity:** To fulfil contractual obligations, such as employment contracts or service agreements.
- **Legal obligation:** Where processing is required to comply with legal obligations.
- **Legitimate interests:** For the Parish Council's legitimate interests, unless overridden by the data subject's interests or fundamental rights and freedoms.
- **Vital interests:** To protect the vital interests of a data subject or another person.

- **Public interest or official authority:** For tasks carried out in the public interest or in the exercise of official authority vested in the Parish Council.

Where personal data is processed based on one of the above legal grounds, the Parish Council does not require consent. However, if consent is necessary, individuals will be informed of the reason and may withdraw consent at any time.

Personal data collected during employment is stored in personnel files, both in hard copy and electronically on HR and IT systems. The Parish Council will retain HR-related personal data for periods specified in privacy notices.

The Parish Council may share personal data with third-party contractors or agents to fulfil its obligations under contracts or for legitimate interests. These parties are required to maintain confidentiality and protect personal data in accordance with data protection law.

The Parish Council will promptly update personal data upon notification of changes or inaccuracies by the individual.

Special Categories of Data

The Council will process special categories of personal data only under specific conditions, including but not limited to:

- Employment law obligations or collective agreements.
- Protection of vital interests where consent cannot be obtained.
- Where data is made public by the individual.
- Legal claims or proceedings.
- Occupational health assessments.
- Public interest, scientific or historical research, or archiving purposes.

Where processing of special categories of data occurs, the Parish Council does not require consent, unless specified otherwise by law. If consent is required, individuals may withdraw consent at any time.

Individual Rights

As a data subject, you have the following rights in relation to your personal data:

Subject Access Requests (SAR): You can request access to the personal data the Council holds about you. The Parish Council will provide information on why the data is processed, to whom it is disclosed, how long it is retained, and the rights you can exercise, such as rectification, erasure, or objection to processing. A copy of the data

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

Other Rights: You may request:

- Rectification of inaccurate data.
- Erasure of data when it is no longer needed.
- Restriction or objection to the processing of data.
- Complaints to the Information Commissioner's Office (ICO) if you believe your rights have been violated.

To make a request, please contact the Proper Officer or Chair and Vice Chair of the HR Committee. In some cases, verification of identity may be required. The Parish Council will respond to requests within one month.

Data Security

The Parish Council takes data security seriously and has implemented appropriate technical and organisational measures to protect personal data from loss, misuse, and unauthorised access. These measures include:

- Limiting access to personal data to authorised personnel only.
- Ensuring secure storage and transmission of data.
- Implementing password protection and encryption where necessary.

Where third-party processors are involved, the Parish Council ensures they are bound by confidentiality agreements and implement adequate data security measures.

Data Protection Impact Assessments (DPIAs)

If processing is likely to result in high risks to the rights and freedoms of individuals (e.g., monitoring through CCTV), the Council will conduct a Data Protection Impact Assessment to assess risks, determine the necessity and proportionality of the processing, and outline mitigation measures.

Data Breaches

The Council has procedures in place to detect and respond to data breaches. If a breach of HR-related personal data occurs that poses a risk to individuals' rights and freedoms, it will be reported to the ICO within 72 hours.

In the event of a breach, the Parish Council will notify affected individuals and provide information on the breach, including any mitigating actions taken.

International Data Transfers

The Council does not transfer personal data outside the European Economic Area (EEA).

Individual Responsibilities

Individuals are responsible for ensuring that personal data provided to the Parish Council is accurate and up to date. If any of your details change (e.g., address, bank details), please inform the Parish Council.

Anyone who works for or on behalf of the Parish Council is expected to handle personal data in accordance with this policy. This includes ensuring that personal data is accessed only by authorised individuals, kept secure, and not disclosed inappropriately.

Failure to comply with data protection requirements may result in disciplinary action.

Training

The Council provides data protection training to all staff and volunteers. If your role requires regular access to personal data, additional training will be provided.

Policy Review

This policy is reviewed periodically and updated as necessary to ensure compliance with the GDPR and the Data Protection Act 2018.

Date	Item	Next Review
08.04.2018	Document created	2022
17.11.2024	Document revised and updated	19.11.2024
19.11.2024	Full Council approval	2026