

Data Protection Policy

1. Introduction

Winterbourne Parish Council ("the Council") is committed to protecting the privacy and security of personal data and to complying with all applicable data protection legislation, including:

- The UK General Data Protection Regulation (UK GDPR)
- The Data Protection Act 2018
- Any successor or related legislation

This policy replaces previous versions based on the Data Protection Act 1998.

All councillors, employees, contractors, and volunteers who process personal data on behalf of the Council must comply with this policy. Failure to do so may result in disciplinary action and, in serious cases, legal consequences.

2. Definitions

Personal Data

Any information relating to an identified or identifiable living individual.

Special Category Data

Personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data, health data, or data concerning a person's sex life or sexual orientation.

Processing

Any operation performed on personal data, including collection, recording, storage, use, disclosure, alteration, or deletion.

Data Subject

The individual to whom the personal data relates.

Data Controller

Winterbourne Parish Council.

3. Data Protection Principles

The Council processes personal data in accordance with the UK GDPR principles. Personal data must be:

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. Kept no longer than necessary
6. Processed securely
7. Accountable – the Council must be able to demonstrate compliance

4. Lawful Bases for Processing

The Council will only process personal data where at least one lawful basis applies, including:

- Consent
- Legal obligation
- Performance of a contract
- Vital interests
- Public task
- Legitimate interests (where applicable)

5. Special Category Data

Special category data will only be processed where a lawful basis under Article 6 UK GDPR and a specific condition under Article 9 UK GDPR applies. This will usually require explicit consent or a clear legal obligation.

6. Data Subject Rights

Individuals have the right to:

- Be informed about how their data is used
- Access their personal data
- Rectify inaccurate data
- Request erasure (where applicable)
- Restrict processing
- Object to processing
- Data portability (where relevant)

Requests must be made in writing and will normally be responded to within one month.

7. Data Security

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

- Password-protected systems

- Secure storage of paper records
- Controlled access to personal data
- Regular reviews of security practices

Personal data breaches must be reported immediately to the Clerk, who will assess whether notification to the Information Commissioner's Office (ICO) and/or affected individuals is required.

8. Retention and Disposal

Personal data will be retained only for as long as necessary for its purpose and in line with the Council's Retention Schedule. Data will be securely destroyed when no longer required.

9. Councillors and Remote Working

Councillors processing personal data for council business must do so only on approved systems and in accordance with this policy. Personal devices must be adequately secured.

10. Subject Access Requests

Individuals may request access to their personal data free of charge. Requests will be verified and responded to in accordance with statutory time limits.

11. Review and Responsibility

The Clerk is responsible for overseeing data protection compliance. This policy will be reviewed annually or sooner if legislation or guidance changes.

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