



DATA PROTECTION & RETENTION POLICY

Agreed by the Parish Council on 25th April 2024
[Revised 30th April 2026 Minute ref 58/26](#)

1. Data Protection Principles

In complying with the Data Protection Act 2018 the Parish Council shall ensure that all data is:

- Processed fairly, lawfully and in a transparent manner.
- Collected for specified, explicit and legitimate purposes and not processed in a manner incompatible with those purposes.
- Adequate, relevant, and limited to what is necessary in relation to the purposes for which they are processed.
- Kept in a form that permits identification of data subjects for no longer that is necessary for the purposes for which personal data are processed.
- Processed in a manner that ensures appropriate security of the personal data including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational features.

Where the lawful basis for processing data is consent, the Parish Council shall ensure that consent is freely given, unconditional and explicit.

The Parish Clerk shall take any reasonably necessary steps to ensure the security of council data; this shall include to ensure that access to data is limited, and that data is disposed of securely.

The Parish Council does not use automated decision making or profiling of individual personal data.

The Parish Council shall ensure that any third party which processes data on its behalf has sufficient data protection, security measures and breach reporting procedures in place and this shall form part of the terms and conditions of any contract entered.

Data related to a child (under 13) will not be processed without the express parental/guardian consent of the child concerned.

Members and employees must abide by any procedures developed in accordance with this policy and failure to do so may result in disciplinary proceedings or suspension of access to council resources. The Parish Clerk shall ensure that a Data Audit is undertaken at least annually.

2. Training and Guidance

All members and employees of the council shall receive an induction on Data Protection and training as required.

The Parish Clerk shall maintain a guidance note on Data Protection for both members and employees to provide easy to access guidance on Data Protection practices.

3. Privacy Notices

The Parish Clerk shall prepare Privacy Notices as required which will be published on the Parish Council website. They shall be reviewed at least annually. Privacy Notices may vary depending on the data being collected/held.

The Parish Council will use an approach that provides privacy information to individuals; providing information at the point of collection and reference to the full Privacy Notice where it is not practical to provide the notice in full at the point of collection.

At collection sufficient information will be given to detail why the data is being collected, how it will be used, how long it will be kept for and whether it will be shared with any third party.

Privacy Notices will be prepared with reference to guidance from the Information Commissioner's Office and shall be provided in simple language in a clear font.

4. Breach Reporting

A data breach is defined as a breach of security leading to 'accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data'.

All data breaches shall be reported to the Parish Clerk who shall maintain a record of data breaches and determine, in accordance with Information Commissioner's Office guidance whether the breach must be notified.

5. Data Protection Impact Assessments

A Data Protection Impact Assessment (DPIA) is a process to identify and minimize the data protection risks of a project. It is mandatory for certain types of data processing or processing which is likely to result in a high risk to individuals' interests.

The Parish Clerk shall prepare procedures for determining if a DPIA is required and the undertaking of the same.

6. Data Retention

The Parish Council will only keep data for as long as it is necessary to do so.

The Parish Council's standard data retention requirements are detailed in Appendix 1. Data (electronic or physical) should only be disposed of if reviewed in accordance with the following:

- Is retention required to fulfil a statutory or regulatory requirement?
- Is retention required to meet the operational needs of a service?
- Is retention required to evidence events in the case of dispute?
- Is retention required because the document/record is of historic interest or intrinsic value?

Where documents are of historical interest it may be appropriate that they are transmitted to the County Records Office.

7. Data Subject Rights

A data subject has the right to:

- Access their information.
- Correct information held which they believe is incorrect.
- Request information is deleted.
- Object to the processing of data.
- Request data is transferred to another data controller.
- Withdraw consent for processing data.
- Lodge a complaint with the Information Commissioner's Office

A data subject wishing to exercise their rights may do so by contacting the Parish Clerk.

8. Review and Monitoring

This policy shall be reviewed periodically, considering experience, comments from data subjects and guidance from the Information Commissioner's Office.

9. Website Privacy Notice

Sunningwell Parish Council (SPC) undertakes to collect and use the personal data of residents of the parish who have consented to the holding of specified personal information in compliance with the Data Protection Act 2018 (DPA). Our legal basis for processing this data is our legitimate interest as a parish council wishing to communicate with parishioners to convey information related to parish council activities which SPC considers to be in the interest of parishioners. All information held is that received from the data subjects with their own consent. We use the data for the administration of the parish database the communication of information and the organisation of SPC sponsored events.

This information will be recorded in our parish residents' database, which is stored offline in compliance with the DPA. Our residents' data is used only for SPC administration and is not sold or shared with any other organisation other than to enable us to send bulk emails and as may be required by law. Your personal data is not passed on by us for use by any third parties.

In addition, we may hold data relating to people and organisations from whom we are seeking or have already obtained the provision of goods or services for the Parish. We will manage such data in a similar

manner to that held in respect of residents save that they will not be included in our residents mailing list.

Information about our data use policies, including how you can see what data we hold about you, how you can limit its use and how you can ask for inaccuracies in data to be corrected is set out below and may also be obtained from the parish clerk upon written request.

Personal data collected.

We may collect the following types of information:

- web analytic data.
- cookies.
- contact information and other personal information.

When someone visits the SPC website we use a third party service, Google Analytics, to collect standard internet log information and details of visitor behaviour patterns. We do this to find out things such as the number of visitors to the various parts of the site. This information is only processed in a way which does not identify anyone. Similarly, like many sites we reserve the option to collect information about online behaviour using cookies, which contain identification information that enables us to see how users are interacting with the site and how frequently they are returning. The cookies do not contain any information which enable you to be personally identified and are not combined with other information the SPC holds to provide personally identifiable information.

If we want to collect personally identifiable information through our website, we will be up front about this. We will make it clear when we collect personal information and will explain what we intend to do with it. Only the information is Personal Data which falls within the provisions of the Data Protection legislation. We may come to hold your Personal Data (such as name, e-mail address and other contact information) when you contact us to make comments, submit a problem or request information from us, or register to receive e-news posts from us and provide your name or return contact information.

Use of data

We use residents' data for SPC administration; the communication of council and other information relevant to the parish and the organisation of council sponsored events and to enable parishioners to respond easily to any messages sent.

Sharing of data

Our residents' data is used only for SPC administration and is not sold or shared with any other organisation other than to enable us to send bulk emails and as may be required by law. Your personal data is not passed on by us for use by any third parties.

Source of the data

Data is provided voluntarily by parish residents or prospective suppliers themselves.

Storage of data

SPC personal record data is mainly stored in digital form on computers and also in the form of written documents kept at the home of the parish clerk.

Responsibility for compliance with the relevant laws and regulations

Under the DPA we do not have a statutory requirement to have a Data Protection Officer. The person who is responsible for ensuring that SPC discharges its obligations under the DPA is the Parish Clerk.

Access to personal data

In the event that the parish clerk is not available, the SPC Chair and/or the Vice Chair may be given access to residents' data in order for them to carry out their legitimate tasks for SPC.

Legal basis for collecting of personal data

SPC collects personal data of parishioners by consent and for the purposes of its legitimate interests as a parish council wishing to communicate with parishioners.

Checking what data we hold about you

If you want to know the data we hold about you, you should contact the parish clerk.

You can contact us with a "Subject Access Request" if you want to ask us to provide you with any other information we hold about you. If you are interested in any particular aspects, specifying them will help us to provide you with what you need quickly and efficiently. We are required to provide this to you within one month.

There is not usually a fee for this, though we can charge a reasonable fee based on the administrative cost of providing the information if a request is manifestly unfounded or excessive, or for requests for further copies of the same information. The fees will follow the format set out in our Freedom of Information Policy.

Collection of "special" data

The DPA refers to sensitive personal data as "special categories of personal data".

SPC does not normally record any such special data; the only data we might record would relate to the disability of a parishioner who might have special requirements for access to SPC sponsored events or who might have allergies details of which those catering for a SPC sponsored event might need to be made aware. Such information would only be recorded following an explicit request by or on behalf of the parishioner concerned. If you wish to change this data on your record you can do so at any time by contacting the parish clerk.

Requesting for data to be removed, limited, or corrected.

Part or all of your data record will be corrected or removed from our database upon receipt of a written request from the data subject i.e., the parishioner concerned.

These options can be implemented by contacting the parish clerk: clerk@sunningwell-pc.gov.uk

Length of time personal data is kept.

We normally keep parishioners' data whilst they are resident in the parish. We will normally delete any resident's contact details entirely upon becoming aware that they are no longer resident in the parish. However, any parishioner may have their data deleted at any time upon written request.

Children

We will not process any data relating to a person known to us as being a child without the express consent of the child's parent or legal guardian.

Deceased residents

Upon becoming aware of the death of a resident we will remove their data.

Data Information Officer

The Parish Clerk is our Data Information Officer. Please contact the Parish Clerk in respect of anything connected with data held by Sunningwell Parish Council: clerk@sunningwell-pc.gov.uk.

You also have the right to lodge a complaint with the Information Commissioner's Office. Further information, including contact details, can be found at www.ico.org.uk.

Appendix 1: Data Retention Schedule

| GENERAL DOCUMENTS | MINIMUM RETENTION PERIOD | REASON |
|--------------------------------|---------------------------------|----------------------------|
| Signed Minutes | Indefinite | Archive, Public Inspection |
| Agendas | 5 years | Management |
| Title Documents/Deeds | Indefinite | Audit, Management |
| Contracts/Leases | Indefinite | Management |
| Email | 2 years | Local Choice |
| Register of Members Interests | 1 year after end of service | Local Choice |
| Strategic Plans/Annual Reports | 6 years | Common practice |
| Policies and Procedures | Permanent Archive | Local Choice |
| Legal / Litigation Files | 7 years after superseded | Local Choice |

| FINANCIAL DOCUMENTS | MINIMUM RETENTION PERIOD | REASON |
|---------------------------------------|---------------------------------|-----------------|
| Audited Accounts | Indefinite | |
| Accounting Records | 6 years | VAT |
| Bank Statements/items | Last complete audited year | Audit |
| Insurance Co names and policy numbers | Indefinite | Management |
| Insurance Policies | Whilst valid | |
| Employer's Liability Certificate | 40 years from commencement | Statute |
| Budgets | Indefinite | |
| Quotations and Tenders | 6 years | Limitations Act |
| Rent | Indefinite | Local choice |

| EMPLOYMENT DOCUMENTS | MINIMUM RETENTION PERIOD | REASON |
|--------------------------------|-------------------------------------|----------------------------|
| Timesheets (if applicable) | 7 years | Personal Injury |
| Recruitment Documents | 5 years | Local Choice |
| Documents on persons not hired | 1 year | Equal opportunities |
| Accident or Injury at Work | 7 years | Local Choice |
| Personnel Administration | 6 years after person leaves council | Local choice and Statutory |
| Personnel Service Records | Indefinite | Local Choice |
| Payroll Records | 12 years | Superannuation |

| SERVICES DOCUMENTS | MINIMUM RETENTION PERIOD | REASON |
|----------------------------|---------------------------------|---------------|
| Room Booking /Hire Records | 3 years | Management |