

Kettleshulme & Lyme Handley Parish Council

Data Protection Policy

Adopted on 16th March 2026

Introduction

Kettleshulme & Lyme Handley Parish Council is committed to being transparent about how it collects and uses personal data. This policy sets out the Council's commitment to data protection in line with Data Protection Act 2018 and the UK General Data Protection Regulation. The Parish Council holds Personal Data about its councillors, employees, residents, suppliers, and other individuals, for a variety of council purposes.

This policy sets out how the Parish Council seeks to protect Personal Data and ensure that councillors and the clerk, understand the rules governing its use. This policy requires the Clerk to consider data protection legislation and best practice before any significant new data processing activity is initiated, to ensure that relevant compliance steps are addressed.

This policy should be read in conjunction with Kettleshulme & Lyme Handley's IT Policy.

Definitions

Personal Data Any information relating to an identified or identifiable living individual either on its own, or when taken together with other information.

Data Subject An individual about whom personal data is held. It does not include anyone who has died, or who cannot be identified or distinguished from others.

Processing Data Processing in relation to information, means an operation or set of operations which is performed on information, or on sets of information, such as:

- a) collection, recording, organisation, structuring or storage,
- b) adaptation or alteration,
- c) retrieval, consultation, or use,
- d) disclosure by transmission, dissemination or otherwise making available,
- e) alignment or combination, or
- f) restriction, erasure, or destruction

Data Protection Officer Data Protection Legislation requires certain public authorities and data processors to appoint a Data Protection Officer (DPO). The role of the DPO is to assist the monitoring of internal compliance, inform and advise on data protection obligations, provide advice regarding Data Protection Impact Assessments (DPIAs) and act as a contact point for Data Subjects and the Supervisory Authority.

Data Controller Person who determines the purpose and means of the processing of Personal Data.

Data Processor Person who processes the data on behalf of the Data Controller.

Special Categories of Data Personal Data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs or trade union membership; genetic data, or of biometric data, for the purpose of uniquely identifying an individual; data concerning health; data concerning an individual's sex life or sexual orientation; or data relating to criminal offences.

Scope

This policy applies to all councillors and staff. You must be familiar with this policy and comply with its terms. This policy supplements our other policies relating to internet and email use. We may supplement or amend this policy by additional policies and guidelines from time to time.

Data Protection Officer

Under the Data Protection Act 2018, public authorities are required to appoint a Data Protection Officer. However, the provisions of section 7 (3)(a) of the Act removes Parish Council's from this requirement. Kettleshulme & Lyme Handley Parish Council have not appointed a Data Protection Officer.

Data Controller

The Clerk is the Data Controller and has overall responsibility for the day-to-day implementation of this Policy.

Responsibilities of the Data Controller

- Keeping the Council updated about data protection responsibilities, risks and issues.
- Reviewing all data protection procedures and policies on a regular basis.
- Assisting with data protection training and advice for all Councillors and those included in this policy.
- Answering questions on data protection from council members and other stakeholders.
- Responding to individuals such as members of the public, service users and employees who wish to know which data is being held on them.
- Checking and approving with third parties that handle the council's data contracts or agreement regarding data processing.
- Ensure all systems, services, software and equipment meet acceptable security standards.
- Researching third-party services, such as cloud services the company is considering using to store or process data.
- Ensuring all marketing initiatives adhere to data protection laws and the Council's Data Protection Policy.

Procedures

Collecting Data

The Parish Council will ensure any collection and processing of Personal Data is justified under at least one of the conditions for processing:

- *Consent* – the data subject has consented to the processing. This may be revoked at any time.
- *Contractual* – it is necessary in relation to a contract the data subject has entered into or wishes to enter into.
- *Legal obligation* – it is necessary because of a legal obligation, other than contractual.
- *Vital interests* – it is a "life or death" matter for the Data Subject.
- *Public tasks* – it is necessary for administering justice, or for exercising statutory obligations.
- *Legitimate interests* – it is necessary for the organisation's legitimate interest or those of a third party to whom the personal data is disclosed, except where such interests are overridden by the interests, rights or freedoms of the data subject.

Data Protection Principles

The Parish Council will process personal data in compliance with all six data protection principles:

- Processed lawfully and in a fair way.
- Collected only for specific purposes and not used in any way that is incompatible with those purposes.
- Adequate and relevant to the purposes.
- Accurate and kept up to date.
- Retained only for as long as necessary.
- Processed and destroyed securely including ensuring that appropriate technical and security measures are in place to protect your personal data from loss, misuse, unauthorised access and disclosure.

Privacy Notices

To demonstrate transparency and provide accessible information to individuals about how it will use Personal Data, when information is being collected the Parish Council will provide a privacy notice.

Special Categories of Data

The Parish Council will document the additional justification for the processing of sensitive data. In most cases where the Parish Council processes Special Categories of Data, it will require the data subject's explicit consent to do this unless exceptional circumstances apply, or where the Parish Council is required to do this.

Any such consent will need to clearly identify what the relevant data is, why it is being processed and to whom it will be disclosed.

Accuracy and relevance

The Parish Council will ensure that any personal data it processes is accurate, adequate, relevant, and not excessive, given the purpose for which it was obtained. The Parish Council will not process personal data obtained for one purpose for any unconnected purpose unless the individual concerned has agreed to this or would otherwise reasonably expect this. A data subject may ask for inaccurate personal data relating to them to be corrected. This should be reported to the Data Controller.

Councillors' Personal Data

Councillors must take reasonable steps to ensure that personal data the Parish Council holds about them is accurate and updated as required.

Data Security

Personal data must be kept secure against loss or misuse. Where other organisations process personal data as a service on the Parish Council's behalf, the Clerk will establish what, if any, additional specific data security arrangements need to be implemented in contracts with those third-party organisations.

Storing data securely

- In cases when data is stored on printed paper, it will be kept in a secure place where unauthorised personnel cannot access it.
- Printed data will be shredded when it is no longer needed.
- Data stored on a computer will be protected by strong passwords that are changed regularly.
- Data stored on CDs or memory sticks will be similarly password protected.
- The Clerk must approve any cloud used to store data.
- Data will be regularly backed up in line with the council's backup procedures.
- Data must never be saved directly onto unprotected mobile devices such as tablets or smartphones.
- All servers containing sensitive data must be approved and protected by security software and strong firewall.

Data retention

The Parish Council must retain personal data for no longer than is necessary. What is necessary will depend on the circumstances of each case, considering the reasons that the personal data was obtained. It should be determined in a manner consistent with data retention guidelines.

Subject Access Requests and data portability

A Data Subject is entitled, subject to certain exceptions, to request access to information held about them in a structured format. All Subject Access Requests must immediately be referred to the Clerk, who will process the requests within one month, provided there is no undue burden and it does not compromise the privacy of other individuals. A Data Subject may also request that their data is transferred directly to another system.

Right to be forgotten

A Data Subject may request that any information held on them is deleted or removed, and any third parties who process or use that data must also comply with the request. An erasure request can only be refused if an exemption applies.

Monitoring

The Clerk will monitor the policy regularly to ensure that it is being adhered to.