

KILMINGTON

PARISH COUNCIL

INFORMATION & DATA PROTECTION POLICY

1. Introduction

Kilmington Parish Council processes information to carry out its statutory functions, provide services, and administer its operations. This includes information relating to its activities, confidential Council information, and personal data relating to councillors, employees, volunteers, contractors, and members of the public.

The Council is committed to handling all information responsibly, lawfully, and transparently, in accordance with the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018, and guidance issued by the Information Commissioner's Office (ICO). This policy applies to all councillors, employees, and volunteers and will be reviewed periodically to reflect legislative, regulatory, or operational change.

2. Transparency and Public Information

The Council seeks to be as open as possible in the conduct of its business. Information that is neither personal nor confidential will be made available in accordance with:

- The Council's Publication Scheme under the Freedom of Information Act 2000
- The Local Government Transparency Code 2014 (where applicable)
- The Openness of Local Government Bodies Regulations 2014

3. Data Protection Principles

All personal data processed by the Council must comply with the UK GDPR principles.

Personal data shall be:

- processed lawfully, fairly and transparently
- collected for specified, explicit and legitimate purposes
- adequate, relevant and limited to what is necessary
- accurate and kept up to date
- retained only for as long as necessary
- processed securely to ensure integrity and confidentiality

4. Purposes for Processing Personal Data

The Council processes personal data in order to:

- discharge its duties and functions as a local authority
- fulfil its responsibilities as an employer
- administer Council services and facilities
- maintain records required by law
- respond to enquiries, consultations and complaints
- engage with residents and stakeholders
- support equality and diversity monitoring (in anonymised form)
- assist regulatory or law-enforcement bodies where legally required

Processing may be undertaken jointly with partner organisations where lawful and appropriate safeguards are in place.

5. Lawful Basis for Processing

The Council processes personal data in accordance with Article 6 of the UK GDPR.

Processing is lawful where at least one of the following applies:

- processing is necessary for compliance with a legal obligation

- processing is necessary for the performance of a public task or exercise of official authority
- processing is necessary for the performance of a contract
- processing is necessary to protect vital interests
- processing is necessary for the Council's legitimate interests
- the individual has given explicit consent (used only where appropriate)

The Council primarily relies on public task and legal obligation as its lawful bases. Consent is used only where individuals are given a genuine choice.

Special Category (sensitive) personal Data will only be processed where an additional condition under Article 9 UK GDPR applies, such as explicit consent, employment law requirements, or safeguarding obligations.

6. Diversity Monitoring

The Council may collect equality and diversity data for monitoring purposes. Such data will:

- be treated as strictly confidential
- be accessed only by authorised persons
- never be used in recruitment or decision-making
- be anonymised for monitoring and reporting

7. Responsibility for Compliance

Kilmington Parish Council is the Data Controller.

Day-to-day responsibility for data protection compliance is delegated to the Parish Clerk, who acts as the Council's Data Protection Lead and main point of contact for:

- subject access and other rights requests
- data accuracy updates
- data breach management
- records of processing and compliance monitoring

Contact details

- Email: clerk@kilmingtonwiltshireparishcouncil.gov.uk
- Telephone: +447917 842297

8. Information Security

The Council will implement appropriate technical and organisational measures to protect personal data from unauthorised access, loss, misuse, or disclosure.

Technical Measures

- Unique password-protected user accounts
- Strong passwords and multi-factor authentication where available
- Secure, encrypted cloud systems approved by the Council
- Up-to-date operating systems and security software
- Encrypted devices and secure backups

Organisational Measures

- Access restricted to those with a legitimate need
- Secure handling, storage and disposal procedures
- Training for councillors, staff and volunteers
- Compliance with the Council's IT & Email Policy

9. Retention and Secure Disposal

The Council manages information in accordance with its Records Retention Schedule.

Personal data is retained only for as long as necessary and then securely destroyed via approved methods such as shredding or secure deletion.

10. Children's Data

Where the Council processes children's personal data, it will do so lawfully under an appropriate legal basis.

Where consent is relied upon, parental or guardian consent will be obtained for children under 13. In many cases the Council will rely on public task or safeguarding duties rather than consent.

11. Rights of Individuals

Individuals have rights under UK GDPR, including:

- right of access
- right to rectification
- right to erasure (where applicable)
- right to restrict or object to processing

Requests should be made to the Parish Clerk. The Council does not use automated decision-making or profiling.

12. Data Breaches

All councillors, employees and volunteers must report any suspected or actual personal data breach to the Parish Clerk immediately and no later than 24 hours after awareness.

The Clerk will record, investigate and manage breaches, notify the ICO where required within 72 hours, inform affected individuals where appropriate, and take steps to prevent recurrence.

13. Third-Party Processors

Where third parties process data on behalf of the Council, the Council will ensure that:

- written Data Processing Agreements are in place
- processors provide sufficient GDPR compliance assurances
- access is limited and documented

14. DPIAs and Records of Processing

The Council will complete Data Protection Impact Assessments (DPIAs) where proposed processing presents a high risk to individuals' rights.

The Parish Clerk will maintain a Register of Processing Activities (ROPA), reviewed regularly, as evidence for AGAR Assertion 10.

15. Complaints

Complaints relating to data protection should be raised with the Parish Clerk. Individuals may contact the Information Commissioner's Office if dissatisfied.

Adopted by Kilmington Parish Council: 11 May 26