

**HALSTEAD PARISH COUNCIL
GDPR & DATA PROTECTION POLICY**
Updated to UK GDPR & Data Protection Act 2018

**Adopted July 2026
Review date July 2027**

1. Introduction

Halstead Parish Council (HPC) collects and uses personal information about individuals (Data Subjects) in order to carry out its functions. All personal data must be collected, processed, stored, and disposed of in accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. This policy sets out how the Council ensures lawful, fair, and transparent processing of personal data.

2. Definitions

Data Controller – The organisation that determines the purposes and lawful basis for processing personal data. Halstead Parish Council is the Data Controller for all personal data it processes.

Data Protection Lead – Halstead Parish Council designates the Parish Clerk as the person responsible for data protection governance, compliance oversight, and advising the Council on its obligations.

Data Subject – An individual whose personal data is held or processed by the Council.

Explicit Consent – A clear, specific, and informed statement by the Data Subject agreeing to the processing of their personal data, particularly where special category data is involved.

Information Commissioner – The UK regulator responsible for enforcing data protection law.

3. Data Controller Responsibilities

Halstead Parish Council must:

- Maintain an up-to-date Information Asset Register
- Ensure secure storage and handling of all personal data
- Provide clear Privacy Notices to residents, staff, and service users
- Respect and facilitate individuals' data rights
- Notify the Information Commissioner of the data it holds and the purposes for which it is used

4. Lawful Basis for Processing

The Council processes personal data under the lawful bases set out in Article 6 of UK GDPR:

- Consent
- Contract (where applicable)
- Legal obligation
- Public task (most common for Parish Councils)
- Vital interests (rare, emergency situations)

Where special category data is processed, an additional lawful basis under Article 9 is required.

5. Disclosure of Data

The Council may share anonymised data with other agencies such as local authorities, grant-awarding bodies, or community groups.

Personal data may be disclosed without consent where permitted or required by law, including:

- Carrying out a legal duty
- Protecting vital interests
- The Data Subject has made the information public

- Legal proceedings or obtaining legal advice
- Equality monitoring
- Providing a confidential service where consent cannot be obtained

All disclosures will be lawful, proportionate, and documented.

6. UK GDPR Data Protection Principles

Halstead Parish Council adheres to the UK GDPR principles, ensuring that personal data is:

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 only for as long as necessary
6. Processed securely
7. Managed with accountability and documented compliance

7. Data Collection and Consent

When collecting personal data, the Council will ensure that:

- Data Subjects understand why the information is needed
- They know how it will be used and who it may be shared with
- Consent is freely given, specific, informed, and unambiguous where required
- Privacy Notices are provided at the point of collection
- Data Subjects are competent to give consent and do so without duress

8. Data Storage

All personal data must be stored securely. This includes:

- Password-protected and encrypted digital files
- Locked storage for paper records
- Restricted access to authorised personnel only
- Secure backup arrangements
- Secure disposal of all data when no longer required

The Council is responsible for ensuring that data is non-recoverable from any equipment that is sold or passed on.

9. Data Access and Accuracy

Data Subjects have the right to access their personal data. The Council will:

- Respond to Subject Access Requests within one month
- Provide information free of charge unless requests are excessive
- Take reasonable steps to ensure data is accurate and up to date
- Correct or update personal data upon request

All staff and councillors handling personal data must follow good data protection practice and undertake appropriate training.

10. Rights of Individuals

Under UK GDPR, Data Subjects have the right to:

- Be informed about how their data is used
- Access their personal data
- Rectify inaccurate data
- Request erasure (“right to be forgotten”)
- Restrict processing
- Data portability (where applicable)
- Object to processing
- Not be subject to automated decision-making or profiling

11. CCTV and Body-Worn Cameras

Where CCTV or body-worn cameras are used, the Council will:

- Provide clear signage
- Limit access to authorised personnel
- Retain footage only for the minimum period necessary
- Respond to Subject Access Requests for footage
- Ensure secure storage and deletion of recordings

12. Retention, Deletion and Archiving

The Council will only retain personal data for as long as necessary for the purpose for which it was collected.

Retention periods are based on:

- Statutory requirements (e.g., HMRC: 6 years plus current year)
- Employment law
- Operational need

When data is no longer required, it will be securely destroyed or anonymised. The Council will maintain a destruction log in line with ICO expectations.

13. Appendix 1 – Access to Records

Individuals have the right to request access to records held about them. Information may be provided:

- As a copy in permanent form
- Electronically
- Through inspection of records
- As a digest or summary
- Verbally (with a record kept of the information provided)

A small charge may apply for paper copies.

14. Appendix 2 – Retention, Deletion and Archiving

The Council will:

- Retain data only as long as necessary
- Justify retention periods based on purpose
- Securely destroy data when no longer required
- Maintain records of destruction
- Comply with the right to erasure where applicable

15. Policy Review

This policy will be reviewed every two years, or sooner if legislation or Council operations change.

16. Contact Details

Data Protection Lead:

Pip Nott, Clerk to Halstead Parish Council

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