

Chelmarsh Parish Council

Data Protection Policy

1. Introduction

Chelmarsh Parish Council is committed to protecting the privacy of individuals and handles all personal information in a manner that complies with GDPR. The data referred to in this policy is personal data. The person to whom the data relates must be a living person.

There are two categories of personal data:

1. General personal data, e.g. name, address, date of birth, telephone number etc.
2. Sensitive personal data, which includes such things as:
 - Race and ethnic origin
 - Political opinion
 - Religious or philosophical beliefs
 - Physical, mental health or medical condition
 - Trade Union membership

2. Principles of General Data Protection

The General Data Protection Regulation (GDPR) principles are:

Personal data should be:

- Processed fairly, lawfully and transparently
- Obtained for a specified, explicit and legitimate purpose
- Be adequate, relevant and limited to what is necessary
- Be accurate and where necessary up to date
- Not be kept longer than is necessary
- Be handled ensuring appropriate security

When personal data is collected, the person to whom the data refers must be informed of what will happen to that information. Chelmarsh Parish Council have done this by providing a general privacy policy. The privacy policy outline our reasons for processing your personal data. We also have a published document retention policy outlining the retention period for the data that will be held. These can be found on our website, some policies are attached to our working documents, e.g. grant application.

All copies of policies can be obtained by contacting the Parish Clerk.

3. Access and use of personal information

Access and use of personal information held by the Council, is only permitted by employees, (temporary or permanent), members, contractors, agents and anyone else processing personal data on our behalf for the purpose of carrying out their official duties.

Use or access for any other purpose is not allowed. Deliberate or unauthorised access to, copying, destruction, alteration or interference with any personal information is strictly forbidden.

4. Security and sharing your personal information

The Council will implement appropriate security measures to protect your personal data. This includes encryption and locked storage. Any third party with whom the Council shares your personal data, has an obligation to ensure appropriate security measures and will be responsible to you directly for the manner in which they process and protect your personal data. The Council will only share your personal data when necessary.

5. Process

Personal information collected must be adequate, relevant and not excessive for the purpose of the collection. If the personal information is collected for one purpose, it cannot be used for a different purpose without consent, unless there is another lawful basis of using this information.

A person must be aware they are giving consent for their personal data to be processed. The GDPR regulations do not permit consent to be obtained if a person fails to tick an 'opt out' checkbox.

On receipt of information, Chelmarsh Parish Council must ensure, wherever possible, that it is accurate and up to date.

Personal information will be reviewed at regular intervals to ensure it is still accurate and up to date. If the information is found to be inaccurate, steps will be taken to update the person's data.

6. Individual Rights

Individuals have a number of rights under GDPR. These are:

- **The right to be informed** - refers to the person having access to our privacy policy, retention policy and having an understanding of their rights.
- **The right to access** – A person can ask for a copy of personal information held about them (this is known as a subject access request or SAR.) When such a request is made the Council may need clarification of the required information. A notification will be sent to you to clarify this. You will also be required to produce identification, and a list of documents required will be on the notification. The Council has one calendar month to respond to the subject access request starting from the date the identification condition has been satisfied. This period can be extended by a further

two months, but only in exceptional circumstances. If there is any delay, the person making the request will be informed and an explanation will be given. Please be aware that any data held containing third party personal data, or that may identify a third person depending upon its content, will be considered by the Council for suitability for release. Any decision to withhold such information will be recorded. The notification form also contains an option for your preference of the format you wish to receive your personal data in.

- **The right to rectification** – Personal data can be rectified if it is inaccurate or incomplete.
- **The right to erasure** – A person can ask for the deletion or removal of personal data unless there is a legal requirement for retention. If that is the case, the Council will inform them and refer them to the retention policy.
- **The right to restrict processing** – A person has the right to block or suppress processing of their personal data unless there is a legal requirement for retention. If this is the case, then the Council will inform the person and refer them to the retention policy.
- **The right of data portability** – This allows a person to obtain and reuse their personal data for their own purposes, e.g. customer moving one energy supplier to another.
- **The right to object** – A person can object to an organisation processing their personal data for direct marketing, on the basis of legitimate interests, or for scientific/historical research and statistics.
- **Rights related to automated decision making/profiling** – A person can ask for human intervention in an automated process.

7. Loss of personal data

In the event that personal data is lost, stolen, destroyed or sent to a third party by mistake, the Council will take the following steps.

- Inform the person(s) that their personal data has been lost, stolen, destroyed or given to a third party, which will enable them to minimise any loss or harm to themselves.
- Investigate the cause for the loss, theft, destruction or error and put in place measures to prevent a reoccurrence.
- Inform the ICO of the breach within 48hrs and provide to them details of the actions taken from the above list.

8. Contact Details

Please contact the Parish Clerk if you have any questions about this Data Protection Policy or the personal data we hold about you or to exercise relevant rights, queries or complaints.

Email: clerk@chelmarshparishcouncil.gov.uk

Telephone: 07810 521469

Write: c/o Chelmarsh Parish Hall, School Lane, Chelmarsh, WV16 6BA

9. Further Information

Further information and advice regarding data protection can be found by contacting the Information Commissioner's Office. <https://ico.org.uk/global/contact-us/>

Telephone 0303 123 1113

Dated: February 2026