

TOLLER PORCORUM PARISH COUNCIL

DRAFT Data Protection Policy

Adopted 11 March 2026 | Next review date: May 2027 | Last review date: 11 March 2026

Introduction

Toller Porcorum Parish Council (“the council”) is committed to ensuring that personal data is processed in accordance with the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR). This policy outlines how the council manages personal data, ensuring it is handled lawfully, fairly, and transparently.

This policy operates in conjunction with the council’s Privacy Notice available at www.tollerporcorumparish.org > [Policies and Procedures](#).

Purpose

1. The purpose of this policy is to:
 - a. Protect the personal data of residents, councillors, employees and other stakeholders.
 - b. Ensure compliance with UK data protection law.
 - c. Promote transparency and accountability in data processing activities.

Scope

2. This policy applies to all personal data processed by the council in any format, including:
 - a. Electronic records (emails, databases, digital files).
 - b. Paper records (forms, letters, notes).
3. It applies to all councillors, employees, volunteers, contractors, and anyone acting on behalf of the council.

Personal Data Definitions

4. ‘Personal data’ is defined in the Data Protection Act 2018 as any information relating to a living person that can be used to identify said person directly or indirectly. Such information includes:
 - a. A name, including an online name.
 - b. An identification number
 - c. An address, including an email address.
 - d. One or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of a person.
5. ‘Special category data’ is defined in UK GDPR as personal data revealing:
 - a. Racial or ethnic origin.
 - b. Political opinions.
 - c. Religious or philosophical beliefs.
 - d. Trade union membership.
 - e. Genetic data.
 - f. Biometric data (where used for identification purposes).
 - g. Data concerning health.
 - h. Data concerning a person’s sex life.
 - i. Data concerning a person’s sexual orientation.

TOLLER PORCORUM PARISH COUNCIL

6. The council does not intend to seek or hold special category data about residents, councillors, employees, volunteers or contractors except where it has been notified of the information, or it comes to light via legitimate means (e.g. a grievance), or needs to be sought and held in compliance with a legal obligation or as a matter of good practice.
 - a. Special category data is to be given special protection and additional safeguards apply if this information is collected, stored and used.

Roles and Responsibilities

7. Under the UK GDPR, the council is both a Data Controller and a Data Processor. As a Data Controller, it must provide a Privacy Notice (available at www.tollerporcorumparish.org > Policies and Procedures) explaining to individuals how their data will be used and what rights they have.
 - a. The council has registered as a Data Controller with the Information Commissioner's Office (ICO).
 - b. As a parish council, the council is not required by law to appoint a Data Protection Officer. It has instead appointed a Data Protection Lead (DPL) to discharge its obligations under UK GDPR.
8. The clerk is the council's DPL and responsible for day-to-day compliance.
9. Councillors, employees and volunteers must comply with this policy, report data breaches, and process personal data lawfully.
10. The council ensures policies, procedures, and employee training are in place to safeguard personal data.

Data Protection Principles

11. The council adheres to the following data protection principles:
 - a. Lawfulness, fairness, and transparency – personal data will be processed lawfully, fairly, and in a transparent manner.
 - b. Purpose limitation – data will only be collected for specified, explicit, and legitimate purposes.
 - c. Data minimisation – only data necessary for the intended purpose will be collected.
 - d. Accuracy – personal data will be accurate and kept up to date.
 - e. Storage limitation – data will be retained only for as long as necessary.
 - f. Integrity and confidentiality – data will be processed securely to prevent unauthorised access, loss, or damaged
 - g. Accountability – the council is responsible for demonstrating compliance with these principles.

Lawful Basis for Processing

12. The council may process personal data based on one of the following lawful bases:
 - a. Consent of the individual.
 - b. Performance of a contract.
 - c. Legal obligation.
 - d. Legitimate interests of the council, balanced against the rights of the data subject.
 - e. Vital interests (e.g., in emergencies).

Rights of Data Subjects

13. Individuals whose data the council processes have the following rights:
 - a. Right to be informed – about how their data is used.
 - b. Right of access – to obtain a copy of their personal data.
 - c. Right to rectification – to correct inaccurate or incomplete data.
 - d. Right to erasure – to have personal data deleted in certain circumstances.

TOLLER PORCORUM PARISH COUNCIL

- e. Right to restrict processing – to limit how their data is used.
- f. Right to data portability – to receive their data in a usable format.
- g. Right to object – to processing for direct marketing or legitimate interests.
- h. Rights in relation to automated decision-making – protection against solely automated decisions.

14. Requests to exercise these rights should be made in writing to the council's DPL to the contact information provided at the end of this document.

Subject Access Requests (SARs)

15. Individuals have the right to request access to the personal data the council holds about them. This is known as a Subject Access Request (SAR).

16. Subject Access Request procedure:

- a. Submitting a request – requests must be made in writing (letter or email) to the clerk/DPL to the contact information provided at the end of this document.
- b. Verification – the council may request proof of identity to ensure personal data is not disclosed to the wrong person.
- c. Response timeframe – the council will respond to SARs within one month of receipt. This period may be extended by a further two months if the request is complex or numerous. The requester will be informed if an extension is necessary.
- d. Information provided – the council will provide a copy of the personal data, along with:
 - i. The purposes for processing.
 - ii. Categories of data being processed.
 - iii. Recipients or categories of recipients of the data (if any).
 - iv. Retention periods or criteria used to determine retention.
 - v. Rights to request rectification, erasure, restriction, or to object.
 - vi. Information about the source of the data if it was not collected directly from the individual.
- e. Fees – normally, no fee will be charged. However, a reasonable fee may be applied for excessive or repetitive requests:
 - i. In such circumstances fees of 5p per sheet (black & white) or 10p per sheet (colour) and Royal Mail standard 2nd class postage will be applied.
- f. Refusal of requests – SARs may be refused or partially refused if they are manifestly unfounded or excessive. The council will provide reasons for any refusal.

Data Security

17. The council will implement appropriate technical and organisational measures to protect personal data, including:

- a. Secure storage of physical and electronic records.
- b. Password protection and restricted access to digital systems.
- c. Regular backups and antivirus protection.
- d. Secure disposal of data no longer required (e.g., shredding confidential waste for paper documents, secure deletion of electronic files).

Data Breaches

18. A personal data breach must be reported immediately to the clerk/DPL. The council will:

- a. Assess the breach and its potential impact.
- b. Notify the Information Commissioner's Office (ICO) within 72 hours if required.

TOLLER PORCORUM PARISH COUNCIL

- c. Inform affected individuals if there is a high risk to their rights and freedoms.
- d. Take steps to prevent future breaches.

Data Retention

- 19. Personal data will be retained only as long as necessary to fulfil its purpose or comply with legal obligations.
- 20. Data that no longer fulfils its purpose or a legal obligation to hold it expires will be securely disposed of as defined in section 17.d.

Training and Awareness

- 21. All councillors, employees and volunteers will receive training on data protection requirements and their responsibilities under this policy.

Complaints

- 22. Complaints about the use of personal data can be made to the council using the contact information provided at the end of this document.
- 23. If a complainant is unsatisfied with the council's response to a complaint, a complaint can also be made to the ICO:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF
Helpline number: 0303 123 1113 www.ico.org.uk/make-a-complaint

Contact Information

Clerk/DPL: Clare Smith

Email address: clerk@tollerporcorumparish.org

Postal address: Toller Porcorum Parish Council, c/o 3 The Briars, Wool, Wareham, Dorset BH20 6NA