West Itchenor Parish Council
Data Protection Policy

1. Purpose

This policy sets out how West Itchenor Parish Council (the Council) complies with the UK GDPR and the Data Protection Act 2018 (DPA 2018), and relevant rules under the Privacy and Electronic Communications Regulations (PECR) for electronic marketing and cookies.

It covers all personal data processed by the Council, including residents, volunteers, staff, councillors and contractors.

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2. Scope

This policy applies to all processing carried out by the Council in its role as a public authority, including:

- **Civic administration:** agendas, minutes, consultations, planning comments, correspondence.
- **Community engagement:** newsletters, mailing lists, surveys, and website interactions (including cookies).
- **HR and governance:** recruitment, payroll, training, member and volunteer administration.
- **Assets and services:** management of council-owned land, facilities, moorings, open spaces or other community assets (where applicable).

It covers all data subjects (adults and children), all formats (paper and electronic), and all systems used by or on behalf of the Council.

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3. Principles and Accountability

The Council follows the UK GDPR principles of:

- Lawfulness, fairness and transparency
- Purpose limitation
- Data minimisation
- Accuracy
- Storage limitation
- Integrity and confidentiality
- Accountability

We document processing in a Record of Processing Activities (RoPA), reviewed at least annually.

Accountability measures include:

- Maintaining a RoPA based on a data-mapping exercise.
- Integrating privacy by design and by default into projects.
- Keeping policies, notices, training records, processor contracts and audit logs to demonstrate compliance.

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4. Roles and Responsibilities

- **Parish Clerk (Data Protection Officer role):** Advises on compliance; maintains the RoPA; liaises with the Information Commissioner's Office (ICO); coordinates training; manages incidents.
- **Council Members and Staff:** Handle personal information in line with this policy; raise incidents promptly; complete training.
- **Processors/Contractors:** Must sign data processing agreements; implement appropriate technical and organisational measures; process data only on documented instructions.

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5. Lawful Bases for Processing

We select and record a lawful basis for each activity in the RoPA. Common bases include:

- **Public task:** Exercising official functions (e.g. meetings administration, consultations).
- **Contract:** Supplier agreements, service arrangements.
- **Legal obligation:** Financial records, audit and transparency requirements.
- **Legitimate interests:** Certain internal administrative operations where proportionate and expected.
- **Consent:** Where individuals have a genuine choice—e.g. electronic direct communications; non-essential cookies; certain surveys; and some uses of images.

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6. Privacy Notices

The Council provides clear, accessible privacy notices at the point of data collection (paper and online), tailored as appropriate for:

- Residents
- Correspondents and consultees
- Staff and volunteers
- Website users

Notices explain: identity and contact details; purposes and lawful bases; recipients; retention; rights; cookies; international transfers; and how to complain to the ICO.

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7. Data Sharing, Processors and International Transfers

We share data only where necessary and lawful, under written agreements.

If personal data is accessed from or transferred outside the UK, we use appropriate safeguards (e.g. the ICO's International Data Transfer Agreement (IDTA) or UK Addendum to EU SCCs) and conduct a Transfer Risk Assessment where required.

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8. Direct Marketing (Email, SMS, Calls) – PECR

The Council sends electronic direct communications (e.g. newsletters or community updates) only in compliance with PECR.

We rely on consent, or where applicable, the "soft opt-in" for existing recipients of similar Council updates (subject to PECR conditions). Every message includes an easy, free unsubscribe mechanism. Suppression lists are maintained.

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9. Cookies and Website Technologies

Where the Council operates a website, we use a consent-based cookie banner for non-essential cookies or similar technologies.

Essential cookies necessary to deliver a service requested by the user may be set without consent. Analytics or similar tools require consent unless ICO guidance provides otherwise.

A cookie notice explains purposes, providers and retention periods. Consent logs are maintained.

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10. Individual Rights

The Council upholds data subject rights, including:

- Access
- Rectification
- Erasure
- Restriction
- Objection
- Data portability
- Rights relating to automated decision-making

Requests are handled within statutory timeframes and recorded.

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11. Data Security

We implement proportionate technical and organisational measures, including:

- Access controls
- Encryption (where appropriate)
- Secure destruction
- Backups
- Staff training
- Physical security

Processors must meet equivalent standards.

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12. Personal Data Breaches

All personal data breaches are recorded in accordance with the Council's Data Breach Response Policy.

Where a breach is likely to result in risk to individuals' rights and freedoms, we notify the ICO within 72 hours and inform affected individuals where there is a high risk.

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13. Training and Awareness

All councillors, staff and regular volunteers receive role-appropriate data protection training.

Training is refreshed every two years (or sooner if required). Records are retained.

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14. Complaints and Escalation

Concerns may be raised with the Parish Clerk in the first instance.

If unresolved, individuals may complain to the Information Commissioner's Office (ICO). Contact details are provided in privacy notices.

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15. Review and Monitoring

This policy is reviewed biennially or sooner if legislation or guidance changes.