

HARTINGTON UPPER QUARTER PARISH COUNCIL

Information & Data Protection Policy

1. Introduction

1.1 The Parish Council processes data relating to its own operations and those of its partners and stakeholders. This data can be broadly classified as follows:

- Data shared in the public arena about the services the Council offers, its mode of operations and other information it is required to make available to the public.
- Confidential information, plus data not yet in the public arena such as ideas or policies that are being worked up.
- Confidential (because of commercial sensitivity) information about other organisations.
- Personal data concerning the Council's current, past and potential employees, councillors, and volunteers.
- Personal data concerning individuals who contact the Council for information, to access its services or facilities or to make a complaint.

1.2 The Parish Council will manage responsibly all data which it handles, respecting the confidentiality of both its own data and that belonging to other organisations it works with and to members of the public. In some cases, the Council will have contractual obligations towards confidential data, and in addition will have specific legal responsibilities for personal and sensitive information under data protection legislation.

1.3 The Council will be as transparent as possible about its operations and will work closely with public, community and voluntary organisations. Therefore, in the case of information which is not personal or confidential, it will be prepared to make it available to partners and members of the Parish's communities. Details of information which is routinely available are published on its website.

1.4 The Parish Council will periodically review and revise this policy in the light of experience, comments from data subjects and guidance from the Information Commissioner's Office.

2. Protecting Confidential or Sensitive Information

2.1 The Parish Council recognises it must, at times, process and keep sensitive and personal information about both employees and the public. It has therefore adopted this policy not only to meet its legal obligations but to ensure high standards.

2.2 The General Data Protection Regulation (GDPR) became UK law in 2018 and seeks to strike a balance between the rights of individuals and the, sometimes, competing interests of those - such as the Parish Council - with legitimate reasons for using personal information.

2.3 This Parish Council policy is based on the premise that personal data must be:

- Processed fairly, lawfully and in a transparent manner in relation to the data subject.
- Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.

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- Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
- Accurate and, where necessary, kept up to date.
- Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed.
- Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

Data Protection Terminology

Data subject - means the person whose personal data is being processed.

Personal data - means any information relating to a natural person that can be used directly or indirectly to identify the person, for example a name, phone number, photo, date of birth, address, email address, computer IP address, bank details, or social networking posts.

Sensitive personal data - includes information about racial or ethnic origin, political opinions, religious or other beliefs, trade union membership, medical information, sexual orientation, genetic and biometric data or information related to offences or alleged offences where it can uniquely identify an individual.

Data controller - means a person or body who, either alone or jointly or in common with other persons or bodies, determines the purposes for which and the manner in which any personal data is to be processed.

Data processor – means, in relation to personal data, any person (other than an employee of the data controller) who processes the data on behalf of the data controller.

Processing information or data - means obtaining, recording or holding information or data or carrying out any operation or set of operations on the information or data, including:

- organising, adapting or altering it
- retrieving, consulting or using the information or data
- disclosing the information or data by transmission, dissemination or otherwise
- aligning, combining, blocking, erasing or destroying the information or data. regardless of the technology used.

2.4 The Parish Council processes **personal data** in order to:

- fulfil its duties as an employer by complying with the terms of contracts of employment, safeguarding the employee and maintaining information required by law.
- pursue the legitimate interests of its business and its duties as a public body, by fulfilling contractual terms with other organisations, and maintaining information required by law.
- monitor its activities including the equality and diversity of its activities.
- assist regulatory and law enforcement agencies
- record and update details about its councillors, employees, partners and volunteers.
- record and update details about individuals who contact it for information or to access a service or make a complaint.
- undertake surveys, censuses, questionnaires, research, audit and quality improvement work to fulfil the objectives and purposes of the Council.
- carry out Council administration.

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Where appropriate, and governed by necessary safeguards, we will carry out the above processing jointly with other appropriate bodies from time to time.

2.5 The Council will ensure that at least one of the following conditions is met for personal information to be considered fairly processed:

- The individual has consented to the processing
- Processing is necessary for the performance of a contract or agreement with the individual
- Processing is required under a legal obligation
- Processing is necessary to protect the vital interests of the individual
- Processing is necessary to carry out public functions
- Processing is necessary in order to pursue the legitimate interests of the data controller or third parties.

2.6 Particular attention is paid to the processing of any **sensitive personal information** and the Parish Council will ensure that at least one of the following conditions is met:

- Explicit consent of the individual
- Required by law to process the data for employment purposes
- Required in order to protect the vital interests of the individual or another person

2.7 The Council will give guidance on personal data to employees, councillors, partners and volunteers.

2.8 Appropriate technical and organisational measures will be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.

2.9 Personal data shall not be transferred to another country unless that country ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

Who is responsible for protecting a person's personal data?

The Parish Council as a corporate body has ultimate responsibility for ensuring compliance with data protection legislation. The Council has delegated this responsibility day-to-day to the Parish Clerk:

- Email: clerk@hartingtonuq-pc.gov.uk
- Phone: 07860 796444

3. Diversity Monitoring

3.1 The Parish Council monitors, when appropriate, the diversity of its employees and councillors, in order to ensure that there is no inappropriate or unlawful discrimination in the way it conducts its activities. This data will always be treated as confidential, and only accessed by authorised individuals within the Council and will not be disclosed to any other bodies or individuals. Anonymised data derived from diversity monitoring will be used for monitoring purposes and may be published and passed to other bodies.

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4. Personal information provided to the Parish Council

4.1 Personal information provided will be processed and stored so that it is possible for the Council to contact, respond to or conduct the transaction requested by the individual. By transacting with the Parish Council, individuals are deemed to be giving consent for their personal data provided to be used and transferred in accordance with this policy. It is the responsibility of those individuals to provide updates so that the Council can keep their personal data accurate/up-to-date. The personal information will be not shared or provided to any other third party or be used for any purpose other than that for which it was provided.

5. Information Security

5.1 The Parish Council, through appropriate technical measures and policies, strives to ensure the security of personal data, so that it is protected from unauthorised access, loss, manipulation, falsification, destruction or unauthorised disclosure. The Council will retain personal data only for the purpose for which it was collected and only for as long as is necessary, after which it will be deleted.

6. Children

6.1 The Parish Council will not process any data relating to a child (under 13) without the express consent of the parent/guardian of the child concerned.

7. Rights of a Data Subject

Access to Information: An individual has the right to request access to the information held on them - by contacting the Parish Clerk.

Information Correction: If an individual believes that the information held about them is incorrect, they should contact the Parish Clerk so that it can be updated.

Information Deletion: If an individual wishes the Council to delete information held about them, they should contact the Parish Clerk.

Right to Object: If an individual believes their data is not being processed for the purpose for which it was collected, they may object - by contacting the Parish Clerk.

Complaints: If an individual has a complaint regarding the way their personal data has been processed, they may make a complaint to the Parish Clerk, or the Information Commissioner's Office casework@ico.org.uk Tel: 0303 123 1113.

The Council will ensure that individuals on whom personal information is kept are aware of their rights and have easy access to that information on request. The Council will retain records of individuals' consents to record, manage and dispose of their personal data.

8. Making Information Available

8.1 The Parish Council's Publication Scheme is intended to encourage local people to take an interest in the work of the Council and its role within the community. In accordance with the Freedom of Information Act 2000, this Scheme specifies the classes of information which the Council publishes or intends to publish.

8.2 All formal meetings of the Council and its committees are subject to statutory notice being given on notice boards and the Council's website. All formal meetings are open to the public and press, and reports to those meetings and relevant background papers are available for the public to see. The Council welcomes public participation through a public participation session at each Council and committee meeting.

8.3 Occasionally, the Council or a committee may need to consider matters in private - examples are matters involving personal details of staff or a particular member of the public, or where details of commercial/contractual sensitivity are to be discussed. This will only happen after a formal resolution has been passed to exclude the press and public, including reasons for the decision. Minutes from all formal meetings are available to the public.

8.4 The Openness of Local Government Bodies Regulations 2014 requires written records to be made of certain decisions taken by officers under delegated powers. These are not routine operational or administrative decisions but would include urgent action taken after consultation with the Chair, such as responding to a planning application in advance of a Council meeting.

8.5 The 2014 Regulations also allow the public or press to film, photograph or make an audio recording of council and committee meetings normally open to the public; the Council will seek to facilitate such recording unless it is being disruptive. It will also ensure that children, the vulnerable and members of the public who object to being filmed are protected, without undermining the broader purpose of the meeting.

9. Disclosure & Barring information

9.1 The Parish Council will, as necessary, undertake checks on staff or councillors with the Disclosure & Barring Service and will comply with their Code of Conduct relating to the secure storage, handling, use, retention and disposal of Disclosures information.

10. Data Transparency

10.1 The Parish Council acts in accordance with the Transparency Code for Smaller Authorities (December 2014), which promotes greater transparency through timely publication of the following data on the Council's website:

- All expenditure transactions above £100
- End of year accounts
- Annual Governance Statement
- Internal Audit Report
- List of councillor responsibilities
- Details of public land assets
- Draft minutes of Council and committees
- Agendas and associated papers

The Council will seek to be proactive in adopting best practice as it develops further.

11. Information Retention and Disposal Policy

11.1 The Parish Council accumulates information and data during the course of its everyday activities; this is recorded in various ways. Measures are taken to safeguard this information; properly-managed records provide reliable evidence of the Council's activities and transactions, and are necessary to demonstrate accountability.

11.2 Documents may be retained in either paper or electronic form. In this policy document, the words 'document' and 'record' refer to both hard-copy and electronic records.

11.3 Documents must be retained for an adequate period of time. If they are destroyed prematurely, the Council or its officers could face prosecution for not complying with legislation, or regulatory or audit requirements, with consequent reputational damage. Documents still required for ongoing operational reasons should be retained.

11.4 Conversely, the Council should not retain documents longer than is necessary. Timely disposal - especially of personal or confidential information - will be undertaken to ensure compliance with the General Data Protection Regulation. This will also assist the most efficient use of limited storage space.

11.5 Some records do not need to be kept at all, or are routinely destroyed in the course of business, for example information which is duplicated, out-of-date, unimportant or of only short-term value.

11.6 The Clerk is responsible for determining whether to retain or dispose of documents, and will undertake a review of documentation at least annually to ensure that unnecessary documentation being held is disposed of. The retention schedules in Appendix A below provide recommended minimum retention periods for specific classes of documents and records; these schedules have been compiled from recommended best practice from the Public Records Office, the Records Management Society of Great Britain, Derbyshire Record Office and in accordance with relevant legislation.

11.7 Each councillor is responsible for ensuring similar action to that stated in the first sentence of clause 11.6, in respect of any information and data handled/stored by them. Minimum retention periods do not apply to records/documents held by individual councillors.

11.8 Whenever there is a possibility of litigation, records and information likely to be relevant should not be amended or disposed of until the threat of litigation has passed.

11.9 Documents which are no longer required for operational purposes but need retaining - and documents of historical interest - should be offered to the County Record Office.

11.10 When documents are destroyed, the method of disposal should be appropriate to the nature and sensitivity of the documents concerned.

11.11 When computer records are deleted, steps should be taken to ensure that data is 'virtually impossible to retrieve' as advised by the Information Commissioner. All back-up copies of those records should also be destroyed.

11.12 Records should be maintained of appropriate document disposals, containing the following information:

- The name of the document destroyed
- The date the document was destroyed
- The method of disposal

This policy was adopted by Hartington Upper Quarter Parish Council on 1 October 2025.

Appendix A: Recommended minimum retention periods for, and disposal of, specific classes of documents and records

(Where a retention period is shown, it starts when the matter concerned becomes decided/closed.)

Document	Minimum Retention Period	Reason	Disposal
Minutes (Parish Council & its committees, and Parish Meeting)	Indefinite	Archive	Deposit at County Record Office, 7 years after end of administrative use
Agendas	7 years	Management	Shredding
Declarations of acceptance of office	Term of office + 1 year	Archive	Deposit at County Record Office, 7 years after end of administrative use
Registers of members' interests	Indefinite	Archive	Deposit at County Record Office, 7 years after end of administrative use
Accident/incident reports	20 years	Potential claims	Shredding
Other reports	10 years	Management	Shredding
Codes of practice, policies and procedures	Indefinite	Archive	Deposit at County Record Office, 7 years after end of administrative use
Scales of fees & charges	6 years	Management	Bin
'Receipts & payments' annual accounts	Indefinite	Archive	Deposit at County Record Office, 7 years after end of administrative use
Receipt books	7 years	VAT	Bin
Bank statements	7 years	Audit	Shredding

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Document	Minimum Retention Period	Reason	Disposal
Bank paying-in books & cheque-book stubs	Last completed audit year	Audit	Shredding
Quotations, tenders, order books	7 years	Limitation Act 1980 (as amended)	Shredding
Invoices and remittance advices	7 years	VAT	Shredding
VAT records	6 years (except 20 years for VAT on rents)	VAT	Shredding
Petty cash and postage books	7 years	Tax, VAT, Limitation Act 1980 (as amended)	Shredding
Timesheets and expenses claims	7 years	Audit (requirement)/ Personal injury (best practice)	Shredding
Wages books/payroll	12 years	Superannuation	Shredding
Members' allowances register	6 years	Tax, Limitation Act 1980 (as amended)	Shredding
Insurance policies	7 years - but see next item below	Management	Shredding
Certificates for insurance against liability for employees	40 years from date on which insurance commenced or was renewed	Employers' Liability (Compulsory Insurance) Regulations 1998 (SI 2753) Management	Bin
Information from other bodies, e.g. circulars from DALC, NALC, HPBC, DCC	Retained for as long as is useful and relevant		Bin
Local/historical information materials	Indefinite	To be securely kept for benefit of the Parish	N/A
Magazines and journals	Council may wish to keep its own publications. For others retain for as long as is useful and relevant.	Legal Deposit Libraries Act 2003 requires a local council which after 1 Feb 2004 has published works in print (including pamphlet, magazine, newspaper, map, plan, chart or table) to deliver a copy to the British Library.	Bin if applicable

Document	Minimum Retention Period	Reason	Disposal
- A list of files stored in cabinets - Electronic files saved using relevant file names	Electronic files backed up periodically	Management	Bin (Confidential documents to be shredded)
General correspondence	7 years (or longer if still in administrative use, or to protect legal and other rights and interests)	Management	Appraise and transfer to County Record Office if appropriate. Otherwise bin (confidential documents to be shredded).
Correspondence relating to staff	Personal data re staff not to be kept for longer than necessary for the purpose it was being held.	After employment relationship has ended, may need records for former staff for giving references, payment of tax, national insurance and pensions, and re any claims made against the council.	Shredding
Negligence/injury	6 years	Potential claims	Shredding
Defamation	1 year	Potential claims	Shredding
Ordinary contracts	6 years	Potential claims	Shredding
Investments	Indefinite	Audit, Management	N/A
Title deeds, leases	Indefinite	Audit, Management	N/A
Rent	6 years	Potential claims	Shredding
Trust/Charity records	Indefinite	Archive	N/A
Registers, maps and plans	Indefinite	Audit, Management	Deposit at County Record Office, 7 years after end of administrative use
Public inquiry papers	Indefinite	Archive	Deposit at County Record Office, 7 years after end of administrative use
Other legal papers	7 years	Audit, Management	Appraise and transfer to County Record Office if

Document	Minimum Retention Period	Reason	Disposal
			appropriate. Otherwise shred.
Applications	1 year	Management	Bin
Local Development Plans/Local Plans	Retained as long as in force	Reference	Bin
Neighbourhood Plans	Indefinite – final adopted plans	Historical purposes	N/A
Footpaths/rights of way	Indefinite	Historical purposes	N/A
Daily notes	Daily	Data protection	Shredding
Work rotas	1 month	Management	Shredding
Observation sheets	3 years	Data protection	Shredding
Statistics	3 years	Data protection	Shredding
Signing in sheets	3 years	Management	Shredding
Review requests	3 years	Data protection	Shredding
Discs – master and working	For as long as required	Data protection	Shredding

(End)