

# LLANTWIT FARDRE COMMUNITY COUNCIL



## DATA PROTECTION POLICY (GDPR)

### **1. Purpose & Scope**

1.1 Llantwit Fardre Community Council is committed to protecting the privacy and rights of individuals that it works with in accordance with the

- UK General Data Protection Regulations (GDPR)
- the Data Protection Act 2018.
- The Human Rights Act 2018
- Freedom of Information Act 2000
- Relevant guidance issued by the Information Commissioner (ICO)

1.2 This policy sets out the principles, responsibilities and governance arrangements the Council had in place to ensure that personal data is handled lawfully, fairly and transparently and is based on and tailored to the One Voice Wales Data Protection Policy and applies to all Councillors, Employees, Contractors and Volunteers who handle personal data on behalf of Llantwit Fardre Community Council.

1.3 This policy applies to the following

- all personal data held by the Community Council in paper or electronic form,
- All councillors, staff and volunteers
- Along with all processing of personal data carried out by or on behalf of the Community Council.

## **2 Definitions**

2.1 The following definitions are

- I. **Personal Data**– Any Information relating to an identified or identifiable living individual,
- II. **Special Category data** - Personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic or biometric data, health data, or data concerning a person's sex life or sexual orientation.
- III. **Processing** - Any operation performed on personal data, including collection, storage, use, disclosure or deletion
- IV. **Data Subject** – The individual to whom the personal data relates

## **3.Data Controller & Registration**

3.1 Llantwit Fardre Community Council is the data controller for all personal data it processes.

3.2 The Community Council is registered with the Information Commissioner's Office (ICO) and will ensure that its registration details are kept up to date.

3.3 Responsibility for data protection compliance rests with the Council as a corporate body. Day-to-day responsibility is delegated to the Clerk, acting on behalf of the Council.

## **4. Data Protection Principles**

In line with UK GDPR and One Voice Wales guidance, the Council will ensure 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 for no longer than necessary.
6. Processed securely to protect against unauthorised or unlawful processing, loss or damaged

## **5. Lawful Basis for Processing**

5.1 The Community Council will only process personal data where it has a lawful basis, including:

- Compliance with a legal obligation.
- Performance of a task carried out in the public interest or in the exercise of official authority.
- Consent, where required.

Special category data will only be processed where an additional lawful condition applies and where strictly necessary.

## **6. Transparency and Fair Processing**

The Council will be open and transparent about how it uses personal data. Privacy notices will be provided where appropriate to explain:

- What data is collected.
- Why it is collected.
- How it will be used;
- How long it will be kept;
- The rights of the individual.

## **7. Types of Personal Data Held**

The Community Council may hold personal data including, but not limited to:

- Names, addresses, telephone numbers and email addresses.
- Correspondence, enquiries and complaints.
- Information required to administer Council services and functions.
- Employee, contractor or volunteer records (where applicable).

## **8. Data Storage and Security**

In line with One Voice Wales guidance, the Council will ensure that:

- Paper records are stored securely in locked cabinets.
- Electronic data is password protected and access restricted.

- Only authorised persons have access to personal data.
- Appropriate technical and organisational measures are in place to safeguard data.

Councillors must take particular care when using personal devices or email accounts to process Council business involving personal data.

## **9. Data Retention and Disposal**

Personal data will be retained only for as long as necessary for the purpose for which it was collected, in accordance with the Council's approved retention schedule and One Voice Wales recommendations.

When data is no longer required it will be securely destroyed, deleted or shredded.

## **10. Data Sharing and Disclosure**

Personal data will only be shared:

- Where required by law;
- Where necessary to carry out Council functions.
- With the consent of the data subject, where appropriate.

Councillors may access personal data only where necessary to fulfil their official duties and must treat all such information as confidential.

Personal data must not be used for political, campaigning or election purposes unless explicit consent has been given.

## **11. Rights of Individuals**

Individuals have the right to:

- Be informed about the collection and use of their personal data;
- Access their personal data;
- Request correction of inaccurate or incomplete data;
- Request erasure of data where applicable;
- Restrict or object to processing in certain circumstances;
- Lodge a complaint with the Information Commissioner's Office.

## **12. Subject Access Requests**

Requests for access to personal data must be made in writing to the Clerk.

The Council will respond within one calendar month of receipt of a valid request, subject to verification of identity. In line with UK GDPR and One Voice Wales guidance, no fee will normally be charged.

### **13. Data Breaches**

Any actual or suspected personal data breach must be reported immediately to the Clerk.

The Council will investigate all breaches and, where required, notify the Information Commissioner's Office and affected individuals within statutory timescales.

### **14. Confidentiality**

All Councillors, staff and volunteers must respect the confidentiality of personal data and must not disclose information without proper authority.

Failure to comply with this policy may result in disciplinary action or other appropriate measures.

### **15 Review and Adoption**

This policy will be reviewed annually or sooner if required by changes in legislation or guidance issued by One Voice Wales or the Information Commissioner's Office.

**Adopted by Llantwit Fardre Community Council:**

**Next review date:**