



WISTOW PARISH COUNCIL

DATA PROTECTION POLICY

DOCUMENT CONTROL

Changes

Clarifying complaints
and changes to
wording

Approved by

Date

October 2026

Next Review

October 2027



Introduction

An essential activity within the Parish Council is the requirement to gather and process information about its employees, and people in the community, in order to operate effectively. The UK General Data Protection Regulation (UK GDPR), Data Protection Act 2018 (DPA) and Privacy and Electronic Communications Regulations (PECR) regulate the way in which personal information about employees and citizens is held and used.

Wistow Parish Council is committed to the principles and requirements for data protection and handling identified within the UK GDPR, Data Protection Act 2018 and other related legislation, including Data (Use and Access) Act 2025 (DUAA).

The Act sets out rules for processing personal information (personal data), many paper records and computerised information. The Act covers:

- Any information held on a computer about a living individual who can be identified by or from that data
- Information held in manual filing systems where it is possible to access specific information about particular people
- Information collected with the intention of storing it on a computer

Definitions

Under data protection legislation, 'Personal Data' means information relating to a living individual who can be identified.

- from the data;
- or from the data and other information which is in the possession of the data controller and includes expressions of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual

'Special Category Data' is personal data requiring additional protection and includes information as to:

- racial or ethnic origin
- political opinions
- religious or other beliefs
- trade union membership
- physical or mental health or condition, including health data
- sex life, sexual orientation, genetic data, and biometric data used for the purpose of uniquely identifying an individual
- criminal offence data is subject to separate additional requirements under data protection legislation.



Principles of the Act

The UK GDPR sets out principles for processing personal data and requires Wistow Parish Council to comply with, and to be able to demonstrate compliance with these data protection principles. Data must be:

- fairly and lawfully processed
- collected for specified, explicit and legitimate purposes
- adequate, relevant and not excessive
- accurate
- not kept for no longer than is necessary
- processed in line with applicable individual rights
- processed securely
- handled in accordance with the accountability principle
- subject to appropriate controls regardless of whether held electronically or in paper records and,
- managed so that the council can demonstrate compliance with these principles.

This policy has been formally adopted by Wistow Parish Council and applies to its employee, elected members and those acting on the Council's behalf. The policy intends to protect employees, colleagues, members of the public and the Parish Council.

Employee Information

Wistow Parish Council will need to keep information for purposes connected with an employee's employment, including recruitment and termination information. This information will be kept throughout the period of employment and for as long as is necessary following the termination of employment.

These records may include:

- Information gathered about an employee and any references obtained during recruitment
- Details of terms of employment
- Performance information
- Details of grade and job title duties
- Absence records, including holiday records and self-certification forms
- Details of any disciplinary investigations and proceedings
- Training records
- Contact names and addresses
- Correspondence with the organisation and other information provided to the organisation

The Parish Council believes these uses are consistent with our employment relationship and with the principles of the Act. Personal information held by the Council will be subject to appropriate



confidentiality and security controls and will only be accessed or disclosed where there is a lawful and legitimate reasons to do so.

The Parish Council will ensure that information is not kept for longer than is necessary, and will only retain the minimum amount of information that it requires to carry out its functions and the provision of services, whilst adhering to any legal or statutory requirements.

Documents and information will be stored and disposed of in accordance with the applicable data protection legislation and the Council's Document Retention and Disposal Procedure.

Responsibilities

The Parish Council, as data controller, recognises its legal responsibility to ensure that all such data is handled properly and securely irrespective of whether it is held on paper or by electronic means. This covers the whole lifecycle, including:

- The obtaining of personal data;
- The storage and security of personal data;
- The use of personal data
- The disposal/destruction of personal data

Complaints

A complaint is any concern that the Council has mishandled personal data, such as failing a subject access request (SAR), suffering a data breach, or improper retention.

When can I complain to Wistow Parish Council?

You can complain to us about how we are handling yours or other people's information; if we:

- have not properly responded to your request for your personal information;
- are not keeping information secure;
- hold inaccurate information about you;
- have disclosed information about you;
- are keeping information about you for longer than is necessary;
- have collected information for one reason and is using it for something else; or
- have not upheld any of your [data protection rights](#).

How to complain?

Complaints may be submitted using our online accessible form or directly to the Parish Clerk. We will acknowledge receipt of a data protection complaint within 30 days, and without undue delay, take appropriate action to investigate it. Where necessary, we will keep the complainant informed of progress and will provide the outcome without undue delay.

We will:

1. Acknowledge the complaint within 30 days
2. Investigate the complaint without undue delay
3. The Council will keep the complainant reasonably updated on the progress and timelines



4. A Record of the outcomes will be maintained
5. A written outcome will be provided to the Complainant and
6. Review any lessons learned.

If you remain dissatisfied with the outcome, you may contact the Information Commissioner's Office (ICO) to make a complaint.

The Data (Use and Access) Act 2025 (DUAA)

The DUAA makes a number of changes to data protection law. These changes are in areas including scientific research, automated decision making and cookies: The acts allows the following:

- **Research provisions:** it makes it clearer when personal information can be used for the purposes of scientific research, including commercial scientific research. It clarifies that people can give 'broad consent' to an area of scientific research.
- **Privacy notices:** it allows re-use of people's personal information for scientific research without giving them a privacy notice, if that would involve a disproportionate effort.
- **Automated decision-making:** it opens up the full range of reasons, or 'lawful bases', that you can rely on when using people's personal information to make significant automated decisions about them.
- **Cookie rules:** it allows the setting of some types of cookies without having to get consent, such as those for statistical purposes and improve the functionality of a website.

Parish Clerk

The Parish Clerk will ensure that any third party processing such information on Wistow Parish Council's behalf is contractually obliged to put in place similar measures.

The Parish Clerk is responsible for gathering and disseminating information and guidance relating to information security, data protection legislation and related requirements, and for ensuring that staff comply with the legislation.

Members

Members must promptly refer requests concerning an individual's personal data to the Parish Clerk and report any actual or suspected personal data breach without delay in accordance with the Council's Data Security Breach Procedure. Members are bound by this policy and must adhere to the guidelines.