

## **BUXTED PARISH COUNCIL DATA PROTECTION POLICY**

Adopted: 13<sup>th</sup> October 2026  
Review Date: October 2027

This is a statement of the Data Protection Policy adopted by Buxted Parish Council.

The Parish Council needs to collect and use certain types of information about people with whom it deals in order to perform its functions. This information includes current, past and prospective employees, suppliers, clients, customers, service users and others with whom it communicates.

The Council is required by law to collect and use certain types of information to fulfil its statutory duties and also to comply with statutory requirements. This personal information must be dealt with properly however it is collected, recorded and used - whether on paper, on a computer, or on other material - and there are safeguards to ensure this in the Data Protection Act 2018 and in the Data (Use and Access) Act 2025 and relevant guidance issued by the Information Commissioner's Office (ICO).

The purpose of this policy is to:

- ensure compliance with data protection legislation;
- protect the rights and freedoms of individuals;
- establish responsibilities for handling personal data;
- ensure personal information is processed securely;
- provide a framework for responding to data protection requests, complaints and breaches; and
- demonstrate accountability and good governance.

Personal information must be treated in a lawful and correct manner, which is critical to successful operations and to maintaining confidence between the Council and those with whom we deal. To this end the Council fully endorses and adheres to the data protection principles as contained within the Data Protection Act 2018 and the Data (Use and Access) Act 2025. UK data protection law restricts the transfer of personal data outside the UK unless appropriate safeguards are in place.

### **Personal Data**

Any information relating to an identified or identifiable living individual.

### **Special Category Data**

Information relating to:

- racial or ethnic origin;
- political opinions;
- religious or philosophical beliefs;

- trade union membership;
- genetic data;
- biometric data;
- health information;
- sex life; or
- sexual orientation.

## **Processing**

Any activity involving personal data including:

- collection;
- recording;
- storage;
- retrieval;
- consultation;
- disclosure;
- amendment; or
- destruction.

## **Data Subject**

The individual to whom personal data relates.

## **Criminal Offence Data**

Information about criminal allegations, proceedings or convictions. It may only be processed where the law allows and is subject to the same safeguards as special category data.

## **Personal Data Breach**

A breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data.

## **Data Protection Principles**

The Council will comply with the UK GDPR principles. Personal data shall be:

1. Processed lawfully, fairly and in a transparent manner
2. Collected for specified, explicit and legitimate purposes
3. Adequate, relevant and limited to what is necessary (data minimisation)
4. Accurate and kept up to date
5. Kept for no longer than necessary (storage limitation)
6. Processed securely (integrity and confidentiality)
7. Processed with accountability, ensuring compliance can be demonstrated

Lawful basis for processing data are:

- legal obligation
- public task
- contract
- legitimate interests
- consent where appropriate.

The lawful basis relied upon will depend on the purpose of processing and will be recorded before processing begins. Most of the Council's processing relies on public task (exercising its statutory powers) or legal obligation. Where consent is used, it will be freely given, specific and recorded, and may be withdrawn at any time.

Special category and criminal offence data will only be processed where an additional condition under Article 9 or 10 of UK GDPR and Schedule 1 of the Data Protection Act 2018 applies.

Buxted Parish Council will therefore, through appropriate management, and appropriate application of criteria and controls:

- Observe fully, conditions regarding the fair collection and use of information.
- Meet its legal obligations to specify the purposes for which information is used.
- Collect and process appropriate information only to the extent that it is needed to fulfil operational needs or comply with any legal requirements.
- Ensure the quality of information used.
- Apply checks to determine the length of time information is held.
- Ensure that the rights of people, about whom information is held, can be fully exercised under the Act, including:
  - right to be informed
  - access
  - rectification
  - erasure
  - restriction of processing
  - objection
  - data portability (where applicable)
  - rights relating to automated decision making (if applicable).
- Take appropriate technical and organisational security measures to safeguard personal information.
- Ensure that any third-party processors contracted by the Council adhere to appropriate controls.
- Provide privacy notices explaining how personal information is collected, used, retained and shared.

In addition, the Parish Council will ensure that:

The Clerk has specific responsibility for data protection in the organisation. Everyone managing and handling personal information understands that they are contractually responsible for following good data protection practice. All staff and councillors handling personal information will receive appropriate data protection training and refresher training as required. Documents and any storage media containing input to and output from systems (paper or electronic) detailing personal information will be held, transported and disposed of with due regard to sensitivity. Confidential papers and records which are no longer required will be shredded before being disposed of.

**Responsibilities and Roles:** In legal terms, the overall responsibility for the notification of the Council as a data controller and for ensuring compliance rests with the Parish Clerk, with advice being obtained from the Council's Data Protection

Officer as appropriate. It is NOT the responsibility of the Parish Clerk to apply the provisions of the Act. This is the responsibility of the individual collectors, keepers and users of personal data.

The Clerk and Councillors are required to be aware of the provisions of the Data Protection Act 2018 and the Data (Use & Access) Act 2025, such as keeping records up to date and accurate, and its impact on the work they undertake on behalf of the Council. Any breach of the Data Protection Policy, whether deliberate or through negligence, may lead to disciplinary action being taken or even a criminal prosecution.

**Data Security:** The Clerk and Councillors are responsible for ensuring that:

- Any personal data they hold, whether in electronic or paper format, is kept securely.
- Personal information is not disclosed deliberately or accidentally either orally or in writing to any unauthorised third party.

The clerk specifically is responsible for:

- maintaining compliance arrangements;
- coordinating responses to requests;
- handling breaches;
- maintaining records;
- providing advice;
- consulting the Data Protection Officer on requests, breaches, complaints and new uses of personal data;
- coordinating complaint investigations; and
- ensuring reviews of policies and procedures are undertaken.

### **Data Protection Officer**

The Council has appointed Satswana Ltd as its Data Protection Officer (DPO). The DPO advises the Council on its data protection obligations, monitors compliance, advises on breaches and data protection impact assessments, and is the contact point for the ICO. Individuals may contact the DPO about any matter relating to their personal data.

*Satswana Ltd, Ferneberga House, Suite G12, Alexandra Road, Farnborough, Hampshire, GU14 6DQ. Email: [admin@satswana.com](mailto:admin@satswana.com). Telephone: 01252 759177.*

### **Individual Rights**

Individuals have the right to:

- be informed;
- access their personal data;
- request rectification;
- request erasure where applicable;
- restrict processing;
- object to processing;
- data portability where applicable;
- rights relating to automated decision-making; and

- withdraw consent at any time, where processing is based on consent.

### **Subject access requests**

Individuals may ask the Council for a copy of their personal data. The Council will respond within one month of receipt, which may be extended by up to two further months for complex or numerous requests, in which case the individual will be told within the first month. The Council will carry out reasonable and proportionate searches, and will pass any request to the Clerk and the Data Protection Officer without delay.

### **Personal Data Breaches**

Any actual or suspected personal data breach must be reported immediately to the Clerk. The Council will investigate the breach, maintain a breach log, report it to the Information Commissioner's Office within 72 hours of becoming aware of it where it is likely to result in a risk to individuals, and tell affected individuals where the risk to them is high.

### **Data Protection Complaints**

The Council takes all complaints relating to the processing of personal data seriously. Anyone who believes that the Council has failed to comply with data protection legislation, or has mishandled their personal data, should submit their complaint in writing to the Parish Clerk. Complaints will be acknowledged within 30 days of receipt and investigated fairly and impartially.

The Council will:

- investigate the circumstances giving rise to the complaint without undue delay, keeping the individual informed of progress and told of the outcome.
- maintain appropriate records of the complaint, including correspondence, evidence considered, actions taken and the outcome;
- take any remedial action considered necessary to prevent a recurrence; and
- use complaint information, where appropriate, to improve policies, procedures and staff awareness.

Complaint records will be retained only for as long as necessary in accordance with the Council's retention arrangements and to demonstrate compliance with its obligations under data protection legislation. Making a complaint to the Council does not affect an individual's right to complain directly to the Information Commissioner's Office (ICO) at any time.

### **Information Commissioner's Office**

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Telephone: 0303 123 1113

Website: [www.ico.org.uk](http://www.ico.org.uk)