GRINDON & THORPE THEWLES PARISH COUNCIL
Data Protection, Record Management and Security Policy

Introduction
Grindon & Thorpe Thewles Parish Council is fully committed to compliance with the requirements of the Data Protection Act 1998 which came into force on the 1st March 2000, ("the Act").
The council will therefore follow procedures that aim to ensure that all employees, elected members, contractors, agents, consultants, partners, or other servants of the council who have access to any personal data held by or on behalf of the council, are fully aware of and abide by their duties and responsibilities under the Act.

Statement of policy
To operate efficiently, The Parish Council has to collect and use information about people with whom it works. These may include members of the public, current, past and prospective employees, and suppliers. In addition, it may be required by law to collect and use information to comply with the requirements of central government. This personal information must be handled and dealt with properly, however it is collected, recorded, and used, and whether it be on paper, in computer records or recorded by any other means; there are safeguards within the Act to ensure this.

The Parish Council regards the lawful and correct treatment of personal information as very important to its successful operations and to maintaining confidence between the council and those with whom it carries out business. The council will ensure that it treats personal information lawfully and correctly. To this end the council fully endorses and adheres to the Principles of Data Protection as set out in the Data Protection Act 1998.

The principles of data protection
The Act stipulates that anyone processing personal data must comply with **Eight Principles** of good practice. These Principles are legally enforceable.

The Principles require that personal information:
1. Shall be processed fairly and lawfully and in particular, shall not be processed unless specific conditions are met
2. Shall be obtained only for one or more specified and lawful purposes and shall not be further processed in any manner incompatible with that purpose or those purposes.
3. Shall be adequate, relevant and not excessive in relation to the purpose or purposes for which it is processed
4. Shall be accurate and where necessary, kept up to date
5. Shall not be kept for longer than is necessary for that purpose or those purposes
6. Shall be processed in accordance with the rights of data subjects under the Act
7. Shall be kept secure i.e. protected by an appropriate degree of security
8. Shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of data protection.

The Act provides conditions for the processing of any personal data. It also makes a distinction between **personal data** and **"sensitive" personal data**.

Personal data is defined as data relating to a living individual, who can be identified from:
- That data
- That data and other information, which is in the possession of, or is likely to come into the possession of, the data controller and includes an expression of opinion about the individual and any indication of the intentions of the data controller, or any other person in respect of the individual.

Sensitive personal data is defined as personal data consisting of information as to:
• Racial or ethnic origin
• Political opinion
• Religious or other beliefs
• Trade union membership
• Physical or mental health or condition
• Sexual life
• Criminal proceedings or convictions.

Handling of personal/sensitive information
The Parish Council will, through appropriate management and the use of criteria and controls:-
• Observe fully conditions regarding the fair collection and use of personal information
• Meet its legal obligations to specify the purpose for which information is used
• Collect and process appropriate information and only to the extent that it is needed to fulfil operational needs or to comply with any legal requirements.
• Ensure the quality of information used
• Apply checks to determine the length of time information is held
• Take appropriate measures to safeguard personal information
• Ensure that the rights of people about whom the information is held can be fully exercised under the Act.

These include:
• The right to be informed that processing is being undertaken
• The right of access to one's personal information within the statutory 40 days
• The right to correct, rectify, block or erase information regarded as wrong information.

Implementation
The Clerk of Grindon & Thorpe Thewles Parish Council is responsible for ensuring adherence with the Data Protection Act.

Notification to the Information Commissioner
The Information Commissioner maintains a public register of data controllers. The Parish Council is registered as such.

The Data Protection Act 1998 requires every data controller who is processing personal data, to notify and renew their notification, on an annual basis. Failure to do so is a criminal offence. The Clerk will review the Data Protection/Records Management Register annually, prior to notification to the Information Commissioner.

Any changes to the register must be notified to the Information Commissioner, within 28 days. To this end, any changes required between annual reviews will be brought to the attention of the Clerk immediately, who will then inform the Information Commissioner.

Records management
Grindon & Thorpe Thewles Parish Council recognises that the efficient management of its records is necessary in order to comply with its legal and regulatory obligations and to contribute to the effective overall management of the Parish Council. This document provides the framework through which this effective management can be achieved and audited.

The Parish Council seeks to make standard management and operational documents, minutes, agendas, latest news and reports available on the village website:
www.grindonandthorpethewlespc@chessck.co.uk

Scope of the Policy
This policy applies to all records created, received or maintained by the Parish Council in the course of carrying out its functions.

Records are defined as all those documents that facilitate the business carried out by the Parish Council and which are thereafter retained (for a set period) to provide evidence of its transactions or activities. These records may be created, received, or maintained in hard copy or electronically.

Emails will be purged regularly and deleted safely.

A small percentage of the Parish Council's records will be selected for permanent preservation as part of the Council's archives and for historical research and interest.

Responsibilities
The Parish Council has a corporate responsibility to maintain its records and record management systems in accordance with the regulatory environment.

The person with overall responsibility for this Policy is the Parish Clerk (Proper Officer). Only the Clerk can directly access the data, which is held securely by a system of passwords; it cannot be accessed by members of the public.

Grindon & Thorpe Thewles Parish Council may hold personal information about individuals such as their addresses, emails, and telephone numbers. This is securely kept at the home of the Parish Clerk and is not available for public access. All data stored on the Parish Clerk's computer is password protected.

Once data falls outside the minimum retention time of Council's document retention policy, it will be shredded or securely deleted from the computer.

Retention of Documents or Electronic Data
The Parish Council is required to maintain a retention schedule. There is a clear need to retain documentation for audit purposes, staff management, tax liabilities, and the eventuality of legal disputes and legal proceedings. The schedule lays down the minimum length of time which the records need to be retained for audit and other purposes and the action which should be taken when it is of no further administrative use. Additional documents are also identified, in a Management Schedule, which are not subject to audit, staff management, tax liabilities and other purposes, but for the general management of the Parish Council or of historical interest.

Most legal proceedings are governed by the 'Limitations Acts', which state that legal claims may not be commenced after a specified period. The specified period varies, depending on the type of claim in question. If a type of legal proceeding falls into two or more categories, the documentation will be kept for the longer of the limitation period.

The retention refers to records regardless of the media in which they are stored.

Disclosure of Personal information
If an elected member of the Council needs to obtain personal information to help carry out their duties, this is acceptable. They are only able to obtain as much personal information as necessary and it should only be used for the specific purpose. If, for instance, someone has made a complaint about over hanging bushes in a garden, the Clerk may give a Councillor or the appropriate local authority the address and telephone number of the person who has made the complaint so they can help with the enquiry. A Councillor may only do this providing they represent the area in which the subject lives. Data should never be used for political reasons unless the data subjects have consented.

Schedule
Correspondence if related to audit matters and/or legal proceedings should be kept for the appropriate period specified in the schedule unless the Parish Council deem them to be relevant or useful or have historical interest to the Parish Council.

Other correspondence including written or electronically generated (unless relating to staff) should be retained for as long as it is useful and relevant.

DOCUMENT	MINIMUM RETENTION PERIOD	REASON
• Minute books	Indefinite	Archive
• Scales of fees and charges	6 years	Management
• Receipt and payment account(s)	Indefinite	Archive
• Receipt books of all kinds	6 years	VAT
• Bank statements, including deposit/savings accounts	Last completed audit year	Audit
• Bank paying-in books	Last completed audit year	Audit
• Cheque book stubs	Last completed audit year	Audit
• Quotations and tenders 1980	6 years	Limitation Act (as amended)
• Paid invoices	6 years	VAT
• Paid cheques	6 years	Limitation Act 1980 (as amended)
• VAT records	6 years	VAT
• Petty cash	6 years	Tax, VAT, Limitation Act 1980 (as amended)
• Insurance policies	While valid	Management
• Certificates for Insurance against liability for employees	40 years from date on which insurance commenced or was renewed	The Employers' Liability (Compulsory Insurance) Regulations 1998 (SI. 2753), Management.
• Title deeds, leases, agreements, contracts	Indefinite	Audit, Management
• Members allowances register	6 years	Tax, Limitation Act 1980 (as amended)

Retention of documents for legal purposes

Category	Limitation Period
Negligence	6 years
Defamation	1 year
Contract	6 years
Leases	12 years
Sums recoverable by statute	6 years
Personal Injury	3 years
To Recover Land	12 years
Rent	6 years
Breach of Trust	None

Other documentation

Parish Council, website articles

DOCUMENT	MINIMUM RETENTION PERIOD	REASON
Members Register of Interests	Annual	Management
Map of registered Village Green	Indefinite	Historical archive, Management
Maps of street lights, gas, water and electricity services & public footpaths	Indefinite	Management
Website and latest news articles	*Annual*	*Management*

Other documents including written notes of the clerk and councilors
The clerk's handwritten notes of Parish Council meetings are routinely destroyed once the minutes have been approved. Other handwritten notes held by Councillors or the Clerk, from conferences and other Parish Council related events, when no longer relevant or required will be destroyed.

Information from other bodies, e.g. planning applications, circulars, etc from Stockton-on-Tees Borough Council, CALC, NALC etc. Such information should be retained for as long as it is useful and relevant and then destroyed.

Documentation relating to staff/personal information
Should be kept securely and in accordance with the 8 Data Protection principles contained in the Data Protection Act 1998. The principles provide that personal data in relation to staff should not be kept for longer than is necessary for the purpose it was held. However, after an employment relationship has ended, the Parish Council will need to retain and access staff records for former staff for the purposes of giving references, payment of tax, national insurance contributions and pensions, and in respect of any related legal claims made against the Parish Council.

Data received and created by Parish Councillors
All data received and created by Councillors acting on behalf of the Parish Council and in their role as an elected member is subject to the Data Protection Act 1998 and Freedom of Information Act 2000.

It is recognised that members of the public may contact Grindon & Thorpe Thewles Parish Councillors directly through email or letter from time to time. Councillors should:

- Forward the email or letter to the Parish Clerk to respond and delete any electronic copy from their system; or
- Respond to the email or letter directly and provide a copy to the Clerk for the formal record.

If Councillors retain personal information either in paper format or electronically about individuals such as their addresses, emails, and telephone numbers when acting on behalf of members of the public and local organisations it is recommended they seek advice from the Commissioner's Office.

It is the responsibility of the Parish Councillor, if in doubt, to seek clarification from the Commissioner's Office helpline to establish whether they should apply for individual registration.

It is safest for Councillors to delete any correspondence once a matter has come to a natural conclusion rather than hold the information indefinitely. If you believe the correspondence is

important historically to the Parish Council, then a copy should be forwarded to the Clerk clearly marked for the 'formal record' and it will be kept accordingly.

Public Right of Access to Information
Under the Freedom of Information Act, 2000, which came into force on 1st January 2005, everyone has a right to know what information is held by the Parish Council and why, personal or non-personal, with certain exemptions. The Parish Council uses the model Freedom of Information Publication Scheme, which identifies what information the Parish Council routinely makes available, and the cost of providing this.

The Parish Council will, through the Clerk, meet any request for information made in writing, in legible form capable of being used for subsequent reference, within 20 working days of receipt of the request, unless the provision of such information is deemed not to be in the public interest, or is commercially sensitive, or already in the public domain, or is information about a third party.

Where an applicant specifically requests information about a third party, the request falls within the remit of the Freedom of Information Act. However, the Parish Council must apply the Data Protection Principles when considering disclosure of information relating to living individuals. The Parish Council must not release third party information, if to do so would breach these Principles

The Parish Council maintains the right not to respond to repeated or vexatious requests, e.g. when there has already been an identical request made by the applicant to which the Parish Council has responded.

An applicant denied access to information must be given the reason for refusal and may appeal to the Information Commissioner.

Fees

A charge will be made for the photocopying of any information requested, at 5p per sheet.

A charge of £10.00 will be made for a request for an applicant's personal information, such fee being payable in advance.

The applicant has up to 3 months to make payment; only on receipt of payment will the Parish Council authorise the release of information. Should payment not be received within this time limit, the request will be declared void.

Adopted: 10 January 2023
Last Updated: February 2026