



CHILTON TOWN COUNCIL

Data Protection, Freedom of Information and CCTV Policy

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Reviewed	

1. Purpose

The Council is committed to ensuring that personal data is handled lawfully, securely and transparently. This policy sets out how the Council complies with its obligations under data protection legislation and access to information laws.

This policy also explains how the Council manages requests for information, including subject access requests, Freedom of Information requests and the use of CCTV.

2. Scope

This policy applies to all personal data processed by the Council, including data relating to:

- employees and former employees
- Councillors
- residents and members of the public
- contractors, suppliers and partners
- service users (e.g. allotment tenants, licence holders, grant applicants)
- any other lawfully processed data

3. Legal Framework

This policy operates in accordance with data protection legislation including:

- UK GDPR
- Data Protection Act 2018
- Freedom of Information Act 2000
- Environmental Information Regulations 2004

The Council is registered with the Information Commissioner's Office.

4. Roles and Responsibilities

The **Town Clerk** is the Council's **Data Protection Lead** and is responsible for:

- overseeing compliance with this policy
- handling data protection and information requests
- managing data breaches

All Councillors, staff and contractors must comply with this policy.

5. Definitions

Personal data – information relating to an identifiable individual.

Processing – any use of personal data (collection, storage, sharing, deletion).

Special category data – sensitive data such as health, ethnicity, political views.

6. Data Protection Principles

The Council will ensure personal data is:

- processed lawfully, fairly and transparently
- collected for specified purposes only
- adequate, relevant and limited to what is necessary
- accurate and kept up to date
- retained only as long as necessary
- kept secure

7. Lawful Bases for Processing

The Council processes personal data under one or more of the following:

- performance of a contract
- legal obligation
- public task (most Council functions)
- legitimate interests (where appropriate)
- vital interests

Special category data is processed only where lawful under legislation. Particular attention will be paid to the processing of sensitive personal information to ensure it is afforded more protection. Special category data may only be processed in accordance with legislation for specific reasons which must be recorded before the data processing begins.

8. Children's Information

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

9. Privacy Notices

The Council will provide a privacy notice explaining:

- what data is collected
- how it is used and the legal basis
- how long it is retained
- individuals' rights

9. Subject Access Requests (SARs)

Individuals have the right to access their personal data.

- Requests must be submitted to the **Town Clerk**
- The Council will respond within **one month**
- Identification will be required
- Requests may be refused or charged for if manifestly unfounded or excessive

Individuals will be informed of:

- what data is held
- how it is used
- who it is shared with
- their rights

The Town Council does not use automated decision making or profiling of individual personal data.

10. Other Individual Rights

Individuals have the right to:

- request correction of inaccurate data
- request deletion and/or disposal of their information (where applicable)
- restrict or object to processing at any time
- complain to the Information Commissioner

11. Freedom of Information and Environmental Information

The Council complies with:

- Freedom of Information Act 2000
- Environmental Information Regulations 2004

The Council will:

- respond to requests within **20 working days**
- confirm whether information is held
- provide information unless an exemption applies

Requests involving personal data will be handled under data protection legislation.

The Council maintains a **Publication Scheme** setting out information routinely available.

12. Data Sharing

The Council may share personal data with third parties where necessary. All third parties must:

- process data lawfully
- keep it secure
- act only on Council instructions

13. Data Retention

The Council maintains a data retention record which sets out how long information is kept.

Data will be securely deleted or disposed of when no longer required.

14. Data Security

The Council has measures in place to protect data, including:

- restricted access
- secure storage (physical and electronic)
- password protection and encryption where appropriate

15. Data Breaches

All data breaches must be reported immediately to the Town Clerk.

The Council will:

- record all breaches
- report serious breaches to the ICO within **72 hours**
- notify affected individuals where required

17. CCTV and Surveillance

Where the Council operates CCTV, it does so in accordance with legal obligations.

The Council will ensure:

- clear signage is in place as required by law
- CCTV is used only for legitimate purposes (e.g. public safety)
- recordings are retained for a limited period
- access is restricted to authorised personnel

Requests for CCTV footage will be handled in line with Subject Access Request procedures.

18. Complaints

If an individual has a complaint regarding the way their personal data has been processed, they may make a complaint to the Town Clerk. If their complaint is not satisfied, an individual can contact the Information Commissioners Office:

Website <https://ico.org.uk/>

Email casework@ico.org.uk

Tel: 0303 123 1113.

19. Staff and Councillor Responsibilities

All individuals working for or on behalf of the Council must:

- only access data where authorised
- keep data secure

- not disclose data improperly
- report breaches immediately

Failure to comply may result in disciplinary action or other measures as appropriate.

20. Training and Information

The Council will provide appropriate data protection training and/or information to staff and Councillors.

21. Disclosure Information

The Council will, as necessary, undertake checks on both staff and Members if and when required with the Disclosure and Barring Service and will comply with their Code of Conduct relating to the secure storage, handling, use, retention and disposal of Disclosures and Disclosure Information.

22. Review

This policy is non-contractual and will be reviewed periodically to ensure compliance with legislation and best practice.