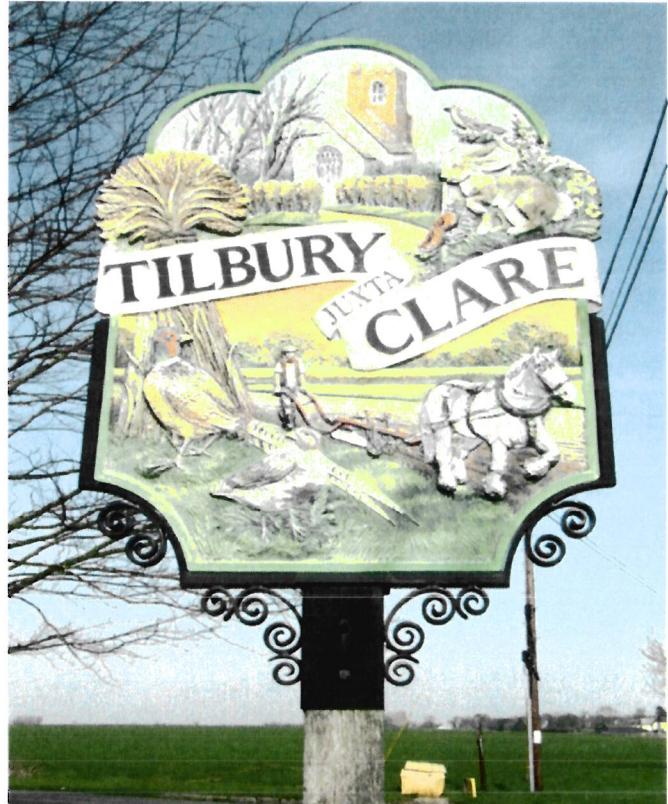


# LITTLE YELDHAM, TILBURY JUXTA CLARE & OVINGTON PARISH COUNCIL GENERAL DATA PROTECTION POLICY



# Little Yeldham, Tilbury Juxta Clare & Ovington Parish Council - GDPR Security Compliance

## **GENERAL DATA PROTECTION POLICY (GDPR)**

The processing of personal data is governed by legislation relating to personal data which applies in the United Kingdom including the General Data Protection Regulation (GDPR) and other legislation relating to personal data and rights such as the Human Rights Act.

“Processing” means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

“Personal data” means data subjects (a living individual) are identifiable if they can be directly or indirectly identified, especially by reference to an identifier such as a name, an identification number, location data, an online identifier or one of several special characteristics, which expresses the physical, physiological, genetic, mental, commercial, cultural or social identity of these natural persons. In practice, these also include all data which are or can be assigned to a person in any kind of way. For example, the telephone, credit card or personnel number of a person, account data, number plate, appearance, customer number or address are all personal data.

### **REASON FOR THIS NOTICE**

This Privacy Notice is provided by Little Yeldham, Tilbury Juxta Clare & Ovington Parish Council which is the data controller for your data.

#### **Other data controllers the council works with:**

- Other data controllers, such as local authorities
- Community groups / Charities / Other not for profit entities
- Contractors/suppliers of goods/services
- Credit reference agencies

We may need to share your personal data with the above so that they can carry out their responsibilities to the council. If we and the other data controllers listed above are processing your data jointly for the same purposes, then the council and the other data controllers may be “joint data controllers”. This means we are all collectively responsible to you for your data. Where each of the parties listed above are processing your data for their own independent purposes, each of us will be independently responsible to you and if you have any questions, wish to exercise any of your rights (see below) or wish to raise a complaint, you should do so directly to the relevant data controller.

#### **The council will process some or all of the following personal data where necessary to perform its tasks:**

- Names, titles, and aliases, photographs;
- Contact details such as telephone numbers, addresses and email addresses;
- Where they are relevant to the services provided by a council, or where you provide them to us, we may process information such as gender, age, marital status, nationality, education/work history, academic/professional qualifications, hobbies, family composition, and dependants;

## Little Yeldham, Tilbury Juxta Clare & Ovington Parish Council - GDPR Security Compliance

### How we use sensitive personal data

- The personal data we process may include sensitive or other special categories of personal data such as criminal convictions, racial or ethnic origin, mental and physical health, details of injuries, medication/treatment received, political beliefs, trade union affiliation, genetic data, biometric data, data concerning and sexual life or orientation.
- We may process sensitive personal data. These types of data are described in the GDPR as “Special categories of data” and require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal data;
- Sensitive personal data per the following:
  - information about your physical or mental health or condition in order to monitor sick leave and take decisions on your fitness for work;
  - your racial or ethnic origin or religious or similar information in order to monitor compliance with equal opportunities legislation;
  - in order to comply with legal requirements and obligations to third parties.
- We may process special categories of personal data in the following circumstances:
  - In limited circumstances, with your explicit written consent.
  - Where we need to carry out our legal obligations.
  - Where it is needed in the public interest.
- Less commonly, we may process this type of personal data where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.

### Do we need your consent to process your sensitive personal data?

- In limited circumstances, we may approach you for your written consent to allow us to process certain sensitive personal data. If we do so, we will provide you with full details of the personal data that we would like and the reason we need it, so that you can carefully consider whether you wish to consent.

### The council will comply with data protection law. This says that the personal data we hold about you must be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept and destroyed securely including ensuring that appropriate technical and security measures are in place to protect your personal data to protect personal data from loss, misuse, unauthorised access and disclosure.

## Little Yeldham, Tilbury Juxta Clare & Ovington Parish Council - GDPR Security Compliance

### **We use your personal data for some or all of the following purposes:**

- To deliver public services including to understand your needs to provide the services that you request and to understand what we can do for you and inform you of other relevant services;
- To confirm your identity to provide some services;
- To contact you by post, email, telephone or using social media (e.g., Facebook, Twitter, WhatsApp);
- To help us to build up a picture of how we are performing;
- To prevent and detect fraud and corruption in the use of public funds and where necessary for the law enforcement functions;
- To enable us to meet all legal and statutory obligations and powers including any delegated functions;
- To carry out comprehensive safeguarding procedures (including due diligence and complaints handling) in accordance with best safeguarding practice from time to time with the aim of ensuring that all children and adults-at-risk are provided with safe environments and generally as necessary to protect individuals from harm or injury;
- To promote the interests of the council;
- To maintain our own accounts and records;
- To seek your views, opinions or comments;
- To notify you of changes to our facilities, services, events and staff, councillors and other role holders;
- To send you communications which you have requested and that may be of interest to you. These may include information about campaigns, appeals, other new projects or initiatives;
- To process relevant financial transactions including grants and payments for goods and services supplied to the council
- To allow the statistical analysis of data so we can plan the provision of services.
- Processing may also include the use of CCTV systems for the prevention and prosecution of crime.

### **What is the legal basis for processing your personal data?**

The council is a public authority and has certain powers and obligations. Most of your personal data is processed for compliance with a legal obligation which includes the discharge of the council's statutory functions and powers. Sometimes when exercising these powers or duties, it is necessary to process personal data of residents or people using the council's services. We will always take into account your interests and rights. This Privacy Notice sets out your rights and the council's obligations to you.

We may process personal data if it is necessary for the performance of a contract with you, or to take steps to enter into a contract. An example of this would be processing your data in connection with maintaining the vegetation (hedges / lawns) in the summer or any maintenance on equipment the Parish Council owns. Sometimes the use of your personal data requires your consent. We will first obtain your consent to that use.

### **Sharing your personal data**

This section provides information about the third parties with whom the council may share your personal data. These third parties have an obligation to put in place appropriate security measures and will be responsible to you directly for the manner in which they process and protect your personal data. It is likely that we will need to share your data with some or all of the following (but only where necessary):

- The data controllers listed above under the heading "Other data controllers the council works with";
- Our agents, suppliers and contractors. For example, we may ask a commercial provider to publish or distribute newsletters on our behalf, or to maintain our database software;
- On occasion, other local authorities or not for profit bodies with which we are carrying out joint ventures e.g. in relation to facilities or events for the community.

### **How long do we keep your personal data?**

We will keep some records permanently if we are legally required to do so. We may keep some other records for an extended period of time. For example, it is currently best practice to keep financial records for a minimum period of 8 years to support HMRC audits or provide tax information. We may have legal obligations to retain some data in connection with our statutory obligations as a public authority. The council is permitted to retain data in order to defend or pursue claims. In some cases the law imposes a time limit for such claims (for example 3 years for personal injury claims or 6 years for contract claims). We will retain some personal data for this purpose as long as we believe it is necessary to be able to defend or pursue a claim. In general, we will endeavour to keep data only for as long as we need it. This means that we will delete it when it is no longer needed.

## Your rights and your personal data

You have the following 7 rights with respect to your personal data. When exercising any of the rights listed below, in order to process your request, we may need to verify your identity for your security. In such cases, we will need you to respond with proof of your identity before you can exercise these rights.

### 1) **The right to access personal data we hold on you**

- At any point you can contact us to request the personal data we hold on you as well as why we have that personal data, who has access to the personal data and where we obtained the personal data from. Once we have received your request we will respond within one month.
- There are no fees or charges for the first request but additional requests for the same personal data or requests which are manifestly unfounded or excessive may be subject to an administrative fee.

### 2) **The right to correct and update the personal data we hold on you**

- If the data we hold on you is out of date, incomplete or incorrect, you can inform us and your data will be updated.

### 3) **The right to have your personal data erased**

- If you feel that we should no longer be using your personal data or that we are unlawfully using your personal data, you can request that we erase the personal data we hold.
- When we receive your request we will confirm whether the personal data has been deleted or the reason why it cannot be deleted (for example because we need it for to comply with a legal obligation).

### 4) **The right to object to processing of your personal data or to restrict it to certain purposes only**

- You have the right to request that we stop processing your personal data or ask us to restrict processing. Upon receiving the request we will contact you and let you know if we are able to comply or if we have a legal obligation to continue to process your data.

### 5) **The right to data portability**

- You have the right to request that we transfer some of your data to another controller. We will comply with your request, where it is feasible to do so, within one month of receiving your request.

### 6) **The right to withdraw your consent to the processing at any time for any processing of data to which consent was obtained**

- You can withdraw your consent easily by telephone, email, or by post (see Contact Details below).

### 7) **The right to lodge a complaint with the Information Commissioner's Office.**

- You can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

## Transfer of Data Abroad

Any personal data transferred to countries or territories outside the European Economic Area ("EEA") will only be placed on systems complying with measures giving equivalent protection of personal rights either through international agreements or contracts approved by the European Union. Our website is also accessible from overseas so on occasion some personal data (for example in a newsletter) may be accessed from overseas.

## Further processing

If we wish to use your personal data for a new purpose, not covered by this Privacy Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing.

## Changes to this notice

We keep this Privacy Notice under regular review and we will place any updates on this web page:

<https://e-voice.org.uk/little-yeldham-tilbury-juxta-clare-and-ovington-parish-council>.

This Notice was last updated in May 2023.

## Contact Details

Please contact us if you have any questions about this Privacy Notice or the personal data we hold about you or to exercise all relevant rights, queries or complaints at:

The Data Controller: LITTLE YELDHAM, TILBURY JUXTA CLARE & OVINGTON PARISH COUNCIL

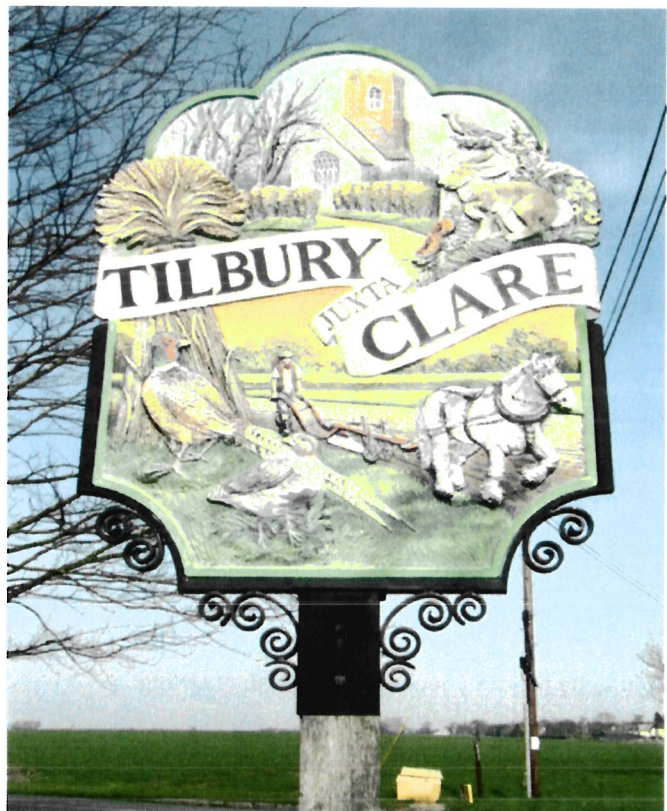
Email:- [ly.tjc.ovington.parishcouncil@gmail.com](mailto:ly.tjc.ovington.parishcouncil@gmail.com)



# Little Yeldham, Tilbury Juxta Clare & Ovington Parish Council - Document Retention Policy

LY, TJC & O Parish Council - Document Retention Policy

V6.0



# Little Yeldham, Tilbury Juxta Clare & Ovington Parish Council - Document Retention Policy

LY, TJC & O Parish Council processes a wide variety of documents to transact its business. This policy describes both the storage and destruction policies of parish council records and documents that are necessary to comply with legal and regulatory obligations.

## 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 which 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 on paper or electronically or other medium as appropriate.

The Policy is applicable to all Parish Councillors and employees of the Parish Council.

## RESPONSIBILITIES

The Parish Council has a corporate responsibility to maintain its records and record management systems in accordance with the current regulations. The person with overall responsibility for the implementation of this policy is the Data Controller of the Parish Council, who is required to manage the Council's records in such a way as to promote compliance with this policy so that information is secured stored while it is valid and securely destroyed when it is no longer required according to the schedule that follows. This will be aided by The Clerk, the Chairman and Vice Chairman of the Parish Council who must also ensure there is compliance. It is suggested that the Parish Council should have an annual agenda item directly for the document retention checking.

Parish Councillors are required to manage all documents and records whether received electronically or in hard copy in accordance with this policy. In the event of a Parish Councillor resigning or failing to retain their post as a result of an election, it is the Parish Councillor's responsibility to ensure anything that remains within their possession but is related to the business of the Parish Council is deleted or if a requirement to be retained, is passed to the Parish Clerk within 10 working days of ceasing to hold the position of a Parish Councillor.

## RELATIONSHIP WITH EXISTING POLICIES

This policy complies with:-

- Freedom of Information Policy/Publication Scheme
- Data Protection Policy
- Privacy Policy
- And with other legislation or regulations relating to work of the Parish Council.

## RETENTION SCHEDULE

Under the Freedom of Information Act 2000, the Parish Council is required to maintain a retention schedule listing the record series which it creates in the course of its business. The retention schedule lays down the length of time which the record needs to be retained and the action which should be taken when it is of no further administrative use.

The Data Controller is expected to manage the current record keeping systems using the retention schedule and to take account of the different retention periods when creating new record keeping systems. This retention schedule refers to record series regardless of the media in which they are stored.

Little Yeldham, Tilbury Juxta Clare & Ovington Parish Council - Document Retention Policy

| Record  | Retention Period   | Action  | Reason                |
|---|--|---------|-----------------------|
| <b>Councillors</b>                            |  |         |                       |
| Declaration of Acceptance                     | Indefinite   | N/a     | Historical Importance |
| Members register of interests                 | Lodged with BDC. Original copy held on file until individual ceases to be a member | Destroy | Legal Compliance      |
| Members' & employees' allowances and expenses | 7 years  | Destroy | Tax/Audit             |

| Record  | Retention Period                        | Action  | Reason     |
|---|---|---------|------------|
| <b>Data Protection / Freedom of Information</b> |   |         |            |
| Information Audit                               | For as long as it is useful or relevant | Destroy | Management |
| Registrations                                   | For as long as it is useful or relevant | Destroy | Management |
| Data Access Requests                            | 1 year from the supply of data          | Destroy | Management |
| Freedom of Information Requests                 | 1 year from the supply of data          | Destroy | Management |

| Record                              | Retention Period | Action  | Reason               |
|-------------------------------------|------------------|---------|----------------------|
| <b>Finance &amp; Payroll</b>        |                  |         |                      |
| Annual Accounts                     | Indefinite       |         | Audit/Management     |
| Annual Return (Audit)               | Indefinite       |         | Audit/Management     |
| Asset Register                      | Indefinite       |         | Audit/Management     |
| Bank Statements                     | 7 years          | Destroy | Audit/Management     |
| Cheque Book Stubs                   | 7 years          | Destroy | Audit/Management     |
| Quotations & Tenders (unsuccessful) | 2 years          | Destroy | Audit/Management     |
| Quotations & Tenders (successful)   | 12 years         | Destroy | Audit/Management     |
| Invoices                            | 7 years          | Destroy | Audit/Management     |
| Paying in book stubs                | 7 years          | Destroy | Audit/Management     |
| Purchase Orders                     | 7 years          | Destroy | Audit/Management     |
| Receipt & Payment accounts          | 7 years          | Destroy | Audit/Management     |
| Payroll, Tax & NI Records           | 7 years          | Destroy | Audit/Management     |
| VAT Records                         | 7 years          | Destroy | Audit/Management/VAT |

| Record                     | Retention Period  | Action  | Reason     |
|----------------------------|---|---------|------------|
| <b>Health &amp; Safety</b> |   |         |            |
| Accident Reports           | 25 years from closure                                   | Destroy | Management |
| Risk Assessments           | Once superseded by a new risk assessment or is inactive | Destroy | Management |

Little Yeldham, Tilbury Juxta Clare & Ovington Parish Council - Document Retention Policy

| Record                                    | Retention Period   | Action  | Reason                |
|---|--|---------|-----------------------|
| <b>Insurance</b>                          |  |         |                       |
| Certificate of Employer's Liability       | 40 years after expiry date                                   | Destroy | Audit/Legal           |
| Certificate of Public Liability Insurance | 40 years   | Destroy | Audit/Legal           |
| Insurance policies/schedules              | 7 years  | Destroy | Insurance             |
| Insurance Claim Records                   | 7 years after closure<br>(Allowing claimant to reach age 25) | Destroy | Insurance/Audit/Legal |
| Trees & Play Equipment Inspection Reports | 40 years   | Destroy | Insurance             |

| Record   | Retention Period  | Action  | Reason           |
|--|---|---------|------------------|
| <b>Legal</b>   |   |         |                  |
| Deeds, conveyances, leases, agreements & contracts   | Indefinite  |         | Management/Legal |
| Documents for Legal Aspects  | 40 years  | Destroy | Legal            |
| Other itemised items:-<br><ul style="list-style-type: none"> <li>• Breach of Contract</li> <li>• Contract</li> <li>• Defamation</li> <li>• Leases</li> <li>• Negligence</li> <li>• Personal Injury</li> <li>• Rent</li> <li>• Sums recoverable by statute</li> </ul> | None<br>6 years<br>1 year<br>12 years<br>6 years<br>3 years<br>6 years<br>6 years | Destroy | Legal            |
| Land & Buildings   | Indefinite  |         | Legal            |
| Trust Documents  | Indefinite  |         | Legal/Audit      |

| Record   | Retention Period                 | Action  | Reason           |
|--|----------------------------------|---------|------------------|
| <b>Minutes &amp; Correspondence</b>                          |                                  |         |                  |
| Agendas  | 1 year                           | Destroy | Management       |
| External Reports and other documents circulated with agendas | 1 year                           | Destroy | Management       |
| Accepted Minutes   | Indefinite                       | N/a     | Management/Legal |
| Draft Minutes  | Until Minutes have been accepted | Destroy | Management       |
| General correspondence and information not covered elsewhere | 1 year                           | Destroy | Management       |
| Internal Reports   | For as long as useful            | Destroy | Management       |

## Little Yeldham, Tilbury Juxta Clare & Ovington Parish Council - Document Retention Policy

| <b>Record</b>   | <b>Retention Period</b>                                | <b>Action</b> | <b>Reason</b> |
|---|--|---------------|---------------|
| <b>Miscellaneous</b>  |  |               |               |
| Documents, plans, maps or articles having local or historic interest, Magazines, journals, advertising material published by or on behalf of Parish Council | For as long as useful                                  | Destroy       | Management    |
| Reports and Newsletters   | For as long as useful                                  | Destroy       | Management    |
| Public Consultation: surveys/questionnaires   | 5 years  | Destroy       | Management    |
| Policy Documents  | Until there is no longer an administrative requirement | Destroy       | Management    |

| <b>Record</b>                                   | <b>Retention Period</b>                                      | <b>Action</b> | <b>Reason</b> |
|---|--|---------------|---------------|
| <b>Personnel</b>                                |  |               |               |
| Applications Forms (interviewed - unsuccessful) | 6 months   | Destroy       | Management    |
| Personnel Records, Contracts                    | 6 years after ceasing employment                             | Destroy       | Management    |
| Training Records                                | Records Term of office or period of employment plus 6 months | Destroy       | Management    |
| Correspondence relating to staff                | Term of employment plus 7 years                              | Destroy       | Management    |

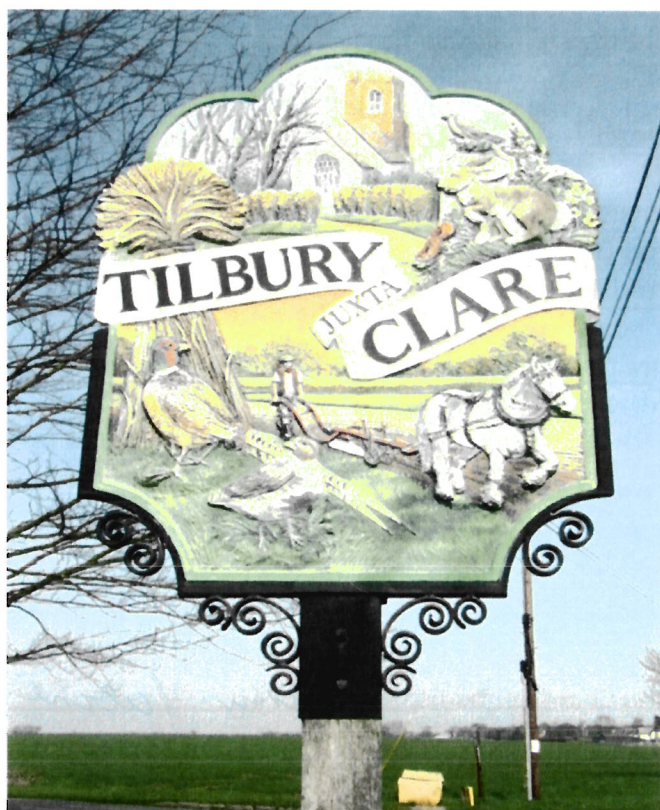
| <b>Record</b>  | <b>Retention Period</b>                       | <b>Action</b> | <b>Reason</b> |
|--|---|---------------|---------------|
| <b>Planning</b>  |   |               |               |
| Planning application correspondence received from residents                    | 1 year after grant/refusal/appeal             | Destroy       | Management    |
| Planning Applications  | All applications retained by BDC              | Destroy       | Management    |
| Parish & Neighbourhood Plan and similar documents                              | For as long as they are in force plus 2 years | Destroy       | Management    |
| Site Allocation  | Indefinite                                    | N/a           | Management    |
| Residential Alterations, Extensions and Outbuildings                           | 1 year  | Destroy       | Management    |
| New or Replacement Dwellings/Buildings, Conversion of Buildings to Residential | Indefinite                                    | N/a           | Management    |
| Appeals  | Indefinite                                    | N/a           | Management    |
| Trees  | 1 year  | Destroy       | Management    |

Disposal Procedures - All documents that are no longer required for administrative purposes will be disposed of securely.



Little Yeldham, Tilbury Juxta Clare & Ovington Parish Council - GDPR Security Compliance Checklist

**LITTLE YELDHAM, TILBURY JUXTA CLARE & OVINGTON PARISH COUNCIL**



Little Yeldham, Tilbury Juxta Clare & Ovington Parish Council - GDPR Security Compliance Checklist

GDPR Security Compliance Checklist

All councillors should complete the security checklist below to show compliance. Records should be retained whilst they remain in office.

|   | Yes / No / N/a |
|---|----------------|
| Computer is Password Protected                                    |                |
| Email is Password Protected                                       |                |
| Mobile Devices are Password Protected                             |                |
| Flash Drives are Password Protected                               |                |
| External Hard Drives are Password Protected                       |                |
| Cloud Access is Password Protected                                |                |
| Hard Copy Files are Held Securely                                 |                |
| Anti-Virus Software is Up To Date                                 |                |
| No One Outside Council has Access to your Council Information     |                |
| LY, TJC & O PC GDPR & Retention Policy Document Read & Understood |                |

Data compliance will not be achieved if you have answered "No" to any of the above

Parish Councillor name: Darren Jackson

Parish Councillor signature: [Signature]

Date: 12/5/26

Parish Council Chairman name: Darren Jackson

Parish Council Chairman signature: [Signature]

Date: 12/5/26

ALL GDPR ITEMS HAVE BEEN COMPLETED BY  
LY, TJC, & O PARISH COUNCIL