Nunburnholme with Kilnwick Percy Parish Council Data Protection Policy (2026)

This Data Protection Policy was adopted at an Ordinary Meeting of Nunburnholme with Kilnwick Percy Parish Council on Thursday 5th March 2026 by a resolution recorded under Minute Reference 2025.96(d)

1. Introduction

Nunburnholme with Kilnwick Percy Parish Council (**the Council**) is fully committed to compliance with the requirements of the UK General Data Protection Regulations (UK GDPR) and the UK Data Protection Act 2018, amendments to which came into force on 1st January 2021.

In April 2025, the Smaller Authorities' Proper Practices Panel (SAPPP) released the updated 2025 edition of the Practitioners' Guide, which included what is referred to as 'Assertion 10'. Parish councils are expected to comply with 'Assertion 10' and to demonstrate compliance it has also been added to the Annual Governance and Accountability Return (AGAR) for smaller authorities with effect from the 2025-26 financial year. In summary, and relating to this policy, this encompasses the following;

Councils must confirm they are compliant with data protection legislation, such as the UK GDPR and Data Protection Act 2018, and the principles of data protection.

The Council follow procedures which aim to ensure that all employees, 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 regulations.

2. Statement of Policy

In order to operate efficiently, the 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, clients and customers, and suppliers. In addition, the Council may be required by law to collect and use information in order 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 regulations to ensure this happens. The Council regards the lawful and correct treatment of personal information as vital 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.

3. The Principles of Data Protection

The UK GDPR sets out seven key Principles of good practice. These Principles are legally enforceable.

- Lawfulness, fairness and transparency
- Purpose limitation
- Data minimisation
- Accuracy
- Storage limitation
- Integrity and confidentiality (security)
- Accountability

4. Rights of the Individual

The UK GDPR provides the following rights for individuals:

- The right to be informed
- The right of access
- The right to rectification
- The right to erasure (the “right to be forgotten”)
- The right to restrict processing
- The right to data portability
- The right to object
- The right not to be subject to automated decision-making and/or profiling

The Regulations provide conditions for the processing of any personal data and make 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
- Gender
- Political opinion
- Religious or other beliefs

- Trade union membership
- Physical or mental health or condition
- Sexual life or sexual orientation
- Criminal proceedings or convictions

5. Handling of Personal Data / Sensitive Personal Data

The Council will, through appropriate management and the use of criteria and controls:

- Fully observe 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 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 inaccurate

6. Implementation

The Clerk to the Parish Council is responsible for ensuring adherence with the UK GDPR and with the Data Protection Act.

Under Section 7 (3) of the Data Protection Act, Parish Councils in England are exempt from the mandator requirement to appoint a Data Protection Officer. https://www.legislation.gov.uk/ukpga/2018/12/section/7

The Clerk can be contacted via;
e-mail Clerk@NunburnholmeKPParishCouncil.gov.uk
or telephone: 07832 688032

7. Notification to the Information Commissioner

The Information Commissioner maintains a public register of Data Controllers. Nunburnholme with Kilnwick Percy Parish Council is registered as such. The UK GDPR requires every Data Controller who is processing personal data to notify and to renew their notification on an annual basis. Failure to do so is a criminal offence.

The Clerk will review the Data Protection 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 made between reviews will be brought to the attention of the Clerk immediately.

The current registration certificate can be viewed by clicking the below link;
https://ico.org.uk/ESDWebPages/Entry/ZA518475

8. Policy review

This policy will be reviewed annually to ensure its relevance and effectiveness.

Date for next review: **March 2027**.