



GDPR DATA PROTECTION AND PRIVACY POLICY

Review changes: Improved policy wording and links to the Data Retention Policy

Date of adoption at Full Council	26 th September 2018 Minute Number 26/09(208 C)
Reviewed	14.02.2024, 03.09.2025
Next Review Date	September 2026
Reviewed by	Policy & Resources Committee

GDPR DATA PROTECTION AND PRIVACY POLICY

1. INTRODUCTION

1.1 What is Personal Data?

“Personal data” means any information about a living individual that allows them to be identified, directly or indirectly. Examples include names, photographs, contact details, identification numbers, or other information linked to them.

Processing of personal data in the UK is governed by the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018, and related legislation, including human rights law.

This policy should be read alongside the Council's:

- Data Retention and Disposal Policy
- Privacy Notice
- Freedom of Information Policy
- Publication Scheme
- relevant information security and data breach procedures
- CCTV policy and/or procedures, where applicable.

1.2 Who We Are

This Privacy Notice is issued by Newton Abbot Town Council (councillors and staff), which acts as the Data Controller.

We may also work with:

- Local authorities
- Community groups
- Charities
- Not-for-profit organisations
- Contractors

We may need to share personal data with such organisations so they can fulfil their responsibilities. Where processing is carried out jointly, we may be Joint Data Controllers. In such cases, all parties are collectively responsible. If data is processed separately, each organisation remains independently responsible.

1.3 Types of Data We Process

We may process:

- Names, titles, aliases, photographs
- Contact details: addresses, phone numbers, emails
- Demographic information: age, gender, marital status, nationality
- Education, employment history, qualifications, family information
- Financial details: bank account numbers, payment/transaction identifiers, policy or claim numbers

- Special category data: political opinions; religious or philosophical beliefs; trade union membership; genetic data; biometric data used for identification; health information; and information concerning a person's sex life or sexual orientation
- Criminal offence data: information concerning criminal convictions, offences, allegations and related proceedings.

1.4 Special Category Data

We may process special category data to:

- Monitor sick leave and assess fitness for work
- Ensure compliance with equal opportunities legislation
- Meet legal obligations and safeguarding requirements

Processing of such data will only occur where:

- You have given explicit consent
- It is required to meet legal obligations
- It is necessary for reasons of substantial public interest
- It relates to legal claims, protecting vital interests, or information you have made public

1.5 Consent for Special Category Data

Where consent is required, we will explain why the data is needed and seek your written consent.

2. Data Protection Principles

We will ensure personal data is:

- Used lawfully, fairly, and transparently
- Collected only for specified, legitimate purposes
- Adequate, relevant, and limited to what is necessary
- Accurate and kept up to date
- Retained only for as long as necessary
- Processed and stored securely

2.2 How We Use Personal Data

We may use your data to:

- Deliver and improve public services
- Confirm your identity
- Communicate with you by post, email, phone, or social media
- Prevent fraud, protect public funds, and support law enforcement
- Meet legal and statutory obligations
- Carry out safeguarding procedures
- Maintain accounts and records

- Promote the council's interests
- Seek your views and feedback
- Notify you of changes to services, facilities, events, or personnel
- Send you relevant communications (e.g. campaigns, projects, initiatives)
- Process financial transactions
- Conduct statistical analysis to plan services

We may also use CCTV for crime prevention and prosecution.

2.3 Legal Basis for Processing

We process personal data on the following bases:

- Legal obligation – to discharge statutory functions and duties
- Public task – to carry out activities in the public interest
- Contract – where data is required to perform a contract or to enter into one
- Consent – where you have given explicit permission

2.4 Sharing Your Data

We may share your personal data with:

- Other data controllers (as listed above)
- Our agents, suppliers, and contractors (e.g. newsletter distribution, IT support)
- Other local authorities and not-for-profit partners in joint projects

All third parties are required to apply appropriate security measures.

2.5 Data Retention

~~We retain records only for as long as necessary:~~

- ~~• Financial records: minimum 8 years (HMRC requirement)~~
- ~~• Other statutory obligations: as required by law~~
- ~~• Litigation: retained for limitation periods (e.g. 3 years for personal injury, 6 years for contract claims)~~

The Council will retain personal data only for as long as it is necessary for the purpose for which it was collected, or for as long as required by law.

Specific retention periods for Council records are set out in the Council's Data Retention and Disposal Policy. That policy should be read alongside this Data Protection and Privacy Policy.

Retention periods will be kept under review and records containing personal data will be securely deleted, destroyed or anonymised when they are no longer required, unless there is a lawful reason for continued retention.

Where records are required for legal proceedings, investigations, audit, statutory obligations or public-interest archiving, they may be retained beyond their normal retention period where this is necessary and lawful.

2.6 Your Rights

You have the right to:

1. Access – request copies of your data and information on how it is used
2. Rectification – correct inaccurate or incomplete data
3. Erasure – request deletion where processing is unlawful or no longer necessary
4. Restriction – limit how your data is processed
5. Objection – object to processing, including for marketing
6. Data portability – request transfer to another controller where feasible
7. Withdraw consent – where processing is based on consent
8. Complain – to the Information Commissioner's Office (ICO)

ICO Contact:

- Phone: 0303 123 1113
- Website: ico.org.uk
- Address: Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

2.7 Data Transfers Abroad

We will only transfer data outside the UK/EEA where equivalent protections are in place (e.g. adequacy decisions, approved contracts). Note: our website may be accessed overseas.

2.8 Further Processing

If we need to process data for a new purpose not covered by this notice, we will issue a new notice and seek consent if required.

2.9 Policy Updates

This policy is reviewed regularly, and updates are published on our website:
www.newtonabbot-tc.gov.uk

3. Contact Details

If you have any questions or wish to exercise your rights, please contact:

Data Controller

Newton Abbot Town Council

Newton's Place, Wolborough Street, Newton Abbot, TQ12 1JQ

info@newtonabbot-tc.gov.uk