



TODMORDEN TOWN COUNCIL

# Privacy and GDPR Policy

**Prepared by:** Naomi Crewe, Town Clerk

**Date:** January 2026

**Next Review Date:** January 2028

## Contents

- 1. Introduction .....2
- 2. Purpose and Scope .....2
- 3. Data Protection Principles .....2
- 4. Roles and Responsibilities .....3
- 5. Lawful Basis for Processing .....3
- 6. Types of Personal Data Collected .....3
- 7. Collection, Use, and Sharing of Personal Data .....4
- 8. Data Subject Rights .....4
- 9. Data Retention and Storage .....4
- 10. Security of Personal Data .....5
- 11. Data Breach Procedures .....5
- 12. International Data Transfers .....5
- 13. Privacy Notices .....5
- 14. Training and Awareness .....5
- 15. Policy Compliance and Review .....6

## 1. Introduction

- 1.1. Todmorden Town Council (“the Council”) is committed to protecting the privacy of individuals and complying with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.
- 1.2. This Privacy and GDPR Policy sets out the Council’s approach to the collection, storage, use, and disclosure of personal data, ensuring lawful, fair, and transparent processing.
- 1.3. This policy applies to all Councillors, Employees, contractors, volunteers, and any third parties who process personal data on behalf of the Council.

## 2. Purpose and Scope

2.1. The purpose of this policy is to:

- Ensure the Council meets its legal obligations under UK GDPR.
- Protect the privacy rights of residents, staff, Councillors, and stakeholders.
- Provide clear guidance on the handling of personal data.
- Promote a culture of data protection throughout the Council.

2.2. This policy covers all personal data processed by the Council in both electronic and paper formats.

## 3. Data Protection Principles

3.1. The Council commits to processing personal data in accordance with the UK GDPR principles:

- i. **Lawfulness, fairness, and transparency:** Data will be processed lawfully, fairly, and in a transparent manner.
- ii. **Purpose limitation:** Data will only be collected for specified, explicit, and legitimate purposes.
- iii. **Data minimisation:** Only data necessary for the purpose will be collected.
- iv. **Accuracy:** Data will be accurate and kept up to date.
- v. **Storage limitation:** Data will be retained only as long as necessary.
- vi. **Integrity and confidentiality:** Data will be processed securely to prevent unauthorised access, loss, or damage.
- vii. **Accountability:** The Council will demonstrate compliance with these principles.

## **4. Roles and Responsibilities**

- 4.1. The Council: Acts primarily as a Data Controller for the personal data it processes and, in limited circumstances, may act as a Data Processor when processing data on behalf of another authority or organisation.
- 4.2. Town Clerk / Data Protection Officer (DPO): Responsible for ensuring compliance with this policy, advising on data protection issues, and acting as the main point of contact for data subjects and regulatory authorities.
- 4.3. Employees and Councillors: Must comply with this policy, report data breaches, and ensure personal data is handled responsibly.
- 4.4. Third Parties / Contractors: Must comply with data protection requirements as specified in contracts or service agreements.

## **5. Lawful Basis for Processing**

- 5.1. The Council will only process personal data where a lawful basis exists under UK GDPR, including:
  - Consent of the data subject.
  - Performance of a contract.
  - Legal obligation.
  - Vital interests of the data subject.
  - Public task or legitimate interests of the Council.
- 5.2. Special category data (e.g., health, ethnicity) will only be processed under additional lawful bases as permitted by law.

## **6. Types of Personal Data Collected**

- 6.1. The Council may collect and process personal data including but not limited to:
  - Names, addresses, contact details.
  - Employment and payroll information.
  - Councillor details, declarations of interest, and attendance records.
  - Data relating to service users, residents, and event participants.
  - CCTV or monitoring data.
  - Any other information required to fulfil statutory or contractual duties.

## **7. Collection, Use, and Sharing of Personal Data**

7.1. Personal data will be collected only for specified purposes and used solely for legitimate Council functions.

7.2. Data may be shared with:

- Government departments, regulatory authorities, or emergency services.
- Third-party service providers engaged by the Council, under contractual agreements.
- Legal advisors or auditors, where required.

7.3. Personal data will not be sold, rented, or shared for commercial purposes.

## **8. Data Subject Rights**

8.1. Individuals whose personal data is held by the Council have the following rights:

- Right to be informed about how their data is used.
- Right of access to personal data (Subject Access Request).
- Right to rectification of inaccurate or incomplete data.
- Right to erasure ('right to be forgotten'), where lawful.
- Right to restrict processing.
- Right to data portability.
- Right to object to processing where applicable.
- Rights related to automated decision-making and profiling.

8.2. Requests to exercise these rights should be submitted to the Town Clerk / DPO. The Council will respond within statutory timeframes.

## **9. Data Retention and Storage**

9.1. Personal data will be retained only as long as necessary to meet operational, statutory, or legal obligations.

9.2. Retention periods will be documented and reviewed regularly.

9.3. Secure methods of storage will be used for both electronic and physical records.

## **10. Security of Personal Data**

10.1. Personal data will be protected by appropriate technical and organisational measures, including:

- Access controls and strong passwords.
- Encryption of sensitive data.
- Secure storage of physical documents.
- Regular backups and system updates.
- Restricting access to authorised personnel only.

10.2. Email accounts and passwords are Council-provided, and passwords may be held securely by senior officers as required for operational or legal purposes.

## **11. Data Breach Procedures**

11.1. Any suspected data breach must be reported immediately to the Town Clerk / DPO.

11.2. Breaches will be assessed, contained, and documented.

11.3. Where required by law, the Information Commissioner's Office (ICO) and affected individuals will be notified within statutory timeframes.

## **12. International Data Transfers**

12.1. Personal data will not be transferred outside the UK or European Economic Area unless lawful safeguards are in place, in compliance with UK GDPR requirements.

## **13. Privacy Notices**

13.1. The Council will provide clear and accessible privacy notices to individuals whose data it processes.

13.2. Notices will include: purposes of processing, lawful basis, retention periods, rights of data subjects, and contact information for queries.

## **14. Training and Awareness**

14.1. All Councillors, Employees, and relevant contractors will receive data protection training.

14.2. The Council will promote awareness of GDPR requirements and best practices in data handling.

## **15. Policy Compliance and Review**

15.1. Compliance with this policy is mandatory for all officers, members, and contractors.

15.2. Non-compliance may result in disciplinary action or legal consequences.

15.3. This policy will be reviewed at least every two years, or sooner in response to legislative, regulatory, or operational changes.