



# March Town Council - Data Protection and GDPR Policy

## 1. Introduction

March Town Council is committed to protecting the privacy and personal data of its residents, employees, and stakeholders. This Data Protection and GDPR Policy outlines the Council's approach to data protection in accordance with the General Data Protection Regulation (GDPR) and the guidelines provided by the Information Commissioner's Office (ICO). The Town Clerk is designated as the Data Protection Officer (DPO) and holds the responsibility for ensuring compliance with data protection laws and regulations.

## 2. Scope

This policy applies to all personal data processed by March Town Council, whether it is obtained from residents, employees, contractors, or any other individuals or organisations.

## 3. Principles of Data Protection

March Town Council adheres to the following principles when processing personal data:

- a) **Lawfulness, Fairness, and Transparency**: Personal data is processed lawfully, fairly, and in a transparent manner, ensuring the individual's rights are protected.
- b) **Purpose Limitation**: Personal data is collected for specified, explicit, and legitimate purposes and not further processed in a manner incompatible with those purposes.
- c) **Data Minimisation**: The Council ensures that the personal data collected is adequate, relevant, and limited to what is necessary for the intended purpose.
- d) **Accuracy**: The Council takes reasonable steps to ensure that personal data is accurate and kept up to date. Inaccurate data will be rectified without delay.
- e) **Storage Limitation**: Personal data is kept in a form that permits identification of individuals for no longer than is necessary for the purposes for which it is processed.
- f) **Integrity and Confidentiality**: Appropriate security measures are implemented to safeguard personal data from unauthorized access, disclosure, or destruction.

#### 4. Lawful Bases for Data Processing

March Town Council will process personal data under the following lawful bases as stipulated by the GDPR:

- a) **Consent**: The Council will obtain explicit consent from individuals for specific data processing activities when necessary.
- b) **Contractual Obligations**: Personal data may be processed if it is necessary for the performance of a contract with the data subject.
- c) **Legal Obligations**: Processing of personal data may be necessary to comply with legal obligations imposed on the Council.
- d) **Vital Interests**: Personal data may be processed to protect the vital interests of individuals.
- e) **Public Task**: The Council may process personal data when it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority.
- f) **Legitimate Interests**: If none of the above lawful bases apply, the Council may process personal data based on legitimate interests pursued by the Council or a third party, provided it does not override the individual's fundamental rights and freedoms.

#### 5. Rights of Data Subjects

March Town Council recognises and respects the rights of data subjects as provided under the GDPR. These rights include:

- a) **Right to Access**: Individuals have the right to access their personal data held by the Council and request a copy of it.
- b) **Right to Rectification**: Individuals can request the correction of inaccurate or incomplete personal data.
- c) **Right to Erasure (Right to be Forgotten)**: Individuals have the right to request the deletion of their personal data under certain circumstances.
- d) **Right to Restrict Processing**: Individuals can request the limitation of their personal data processing in certain situations.
- e) **Right to Data Portability**: Individuals can obtain and reuse their personal data for their own purposes across different services.
- f) **Right to Object**: Individuals have the right to object to the processing of their personal data in certain circumstances.
- g) **Rights Related to Automated Decision Making and Profiling**: The Council will not use automated decision-making processes that significantly affect individuals without appropriate safeguards.

## **6. Data Security and Confidentiality**

March Town Council takes data security seriously and implements appropriate technical and organisational measures to protect personal data from unauthorised access, disclosure, alteration, or destruction.

## **7. Data Breach Notification**

In the event of a data breach that poses a risk to the rights and freedoms of individuals, March Town Council will promptly notify the ICO and affected individuals as required by GDPR.

## **8. Data Protection Impact Assessments (DPIAs)**

The Council conducts DPIAs when necessary to assess and mitigate the risks associated with data processing activities that may impact individuals' privacy rights.

## **9. Data Retention**

March Town Council will retain personal data only for as long as it is necessary to fulfill the purposes for which it was collected, taking into account legal obligations and legitimate business needs.

## **10. Data Transfer**

The Council will ensure that any transfer of personal data to countries outside the European Economic Area (EEA) complies with GDPR requirements.

## **11. Training and Awareness**

The Council will provide training to employees who handle personal data to ensure they are aware of their data protection responsibilities and comply with this policy.

## **12. Review and Amendment**

This Data Protection and GDPR Policy will be reviewed periodically and updated as necessary to ensure ongoing compliance with data protection laws and best practices.

## **13. Contact Information**

For any inquiries or concerns related to data protection and GDPR, individuals can contact the Town Clerk, who acts as the Data Protection Officer, at the following address:

March Town Hall, Market Place, March, PE15 9JF.