Data Protection Policy 2026

1. Purpose and Scope

Felixstowe Town Council is committed to protecting the privacy of individuals and ensuring that personal data is handled lawfully, fairly, and transparently. This policy sets out how the Council complies with the requirements of the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018, and subsequent UK data protection legislation.

The policy applies to all personal data processed by the Council in relation to employees, councillors, residents, contractors, suppliers, volunteers, and members of the public.

2. Data Protection Principles

The Council will ensure that personal data is processed in accordance with the following principles. Personal data shall be:

- Processed lawfully, fairly, and in a transparent manner.
- Collected for specified, explicit, and legitimate purposes.
- Adequate, relevant, and limited to what is necessary.
- Accurate and, where necessary, kept up to date.
- Retained only for as long as necessary.
- Processed securely using appropriate technical and organisational measures.

The Council is responsible for, and must be able to demonstrate, compliance with these principles.

3. Lawful Basis for Processing

The Council primarily processes personal data under Article 6(1)(e) (Public Task) where processing is necessary for the performance of its statutory functions, or under Article 6(1)(c) (Legal Obligation).

Other lawful bases, including consent or contract, may be relied upon where appropriate.

4. Individual Rights

The Council will facilitate the following rights:

- **Subject Access Requests (SARs):** Individuals may request a copy of their data. The Council will undertake reasonable and proportionate searches to identify personal data falling within the scope of a request. Where a request is unclear or overly broad, the Council may ask the requester to clarify the information sought. In such cases, the statutory response period may be paused until the necessary clarification is received.

- **Right to Rectification and Erasure:** Individuals may request correction of inaccurate data or deletion where there is no lawful basis for continued processing, subject to legal retention requirements.
- **Automated Decision-Making (ADM):** Where ADM or AI significantly affects individuals, the Council ensures the right to request meaningful human review.

5. Data Security and Governance (Assertion 10 Compliance)

To meet the requirements of the Annual Governance and Accountability Return (AGAR) Assertion 10, the Council implements robust technical and organisational measures. The Council maintains a separate ICT and Information Security Policy which governs:

- The exclusive use of official @felixstowe.gov.uk email accounts for all Council business.
- The secure use of Council-owned and personal devices (BYOD).
- Mandatory encryption for personal data on removable media and restrictions on unauthorised cloud storage.
- The use of Data Protection Impact Assessments (DPIAs) for high-risk projects such as the introduction of ADM or AI systems.

6. Data Retention

Personal data will not be retained for longer than necessary. The Council maintains a retention schedule to ensure data is kept only for legitimate business or legal purposes and is securely disposed of when no longer required.

7. International Data Transfers

Where personal data is transferred outside the United Kingdom, the Council will ensure that appropriate safeguards are in place and that the level of protection is not materially lower than that provided under UK data protection law.

8. Data Protection Responsibilities

The Town Clerk has overall responsibility for overseeing the Council's data protection arrangements and ensuring compliance with legislation.

The Council may seek independent advice or specialist support where complex data protection matters arise.

The Council will ensure that staff and councillors are aware of their data protection responsibilities through induction and periodic refresher training, and receive appropriate guidance where necessary.

9. Reporting Data Breaches

All staff and Councillors have an obligation to report actual or potential data protection failures. The Council must notify the Information Commissioner's Office (ICO) of

material breaches within 72 hours of discovery. Breaches should be reported immediately to the Town Clerk at townclerk@felixstowe.gov.uk.

10. Complaints

In accordance with the Data Use and Accountability Act (DUAA) 2025, individuals who have concerns about how their personal data has been handled have a statutory right to complain directly to the Council.

- **Submission:** Complaints should be addressed to the Town Clerk (townclerk@felixstowe.gov.uk).
- **Acknowledgement:** The Council will acknowledge data protection complaints within 30 days as required by the DUAA 2025.
- **Resolution:** The Council will investigate and respond without undue delay. Individuals also retain the right to complain to the Information Commissioner's Office (ICO).

Policy Approved: Finance & Governance Committee 18 March 2026
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Next Review: March 2030