

Data Protection and Freedom of Information Policy

1. Data Protection Policy - Introduction

Lawhitton Parish Council is committed to ensuring the lawful and transparent processing of personal data in compliance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. This policy outlines how the Council collects, processes, and protects personal information. In the course of its operations, the Council collects and uses information about residents, employees, suppliers, service users, and others to fulfil its statutory duties. All personal data must be handled in accordance with the safeguards set out in UK GDPR and DPA 2018, whether stored on paper or electronic media.

A. Data Protection Principles

The Council adheres to the following **seven principles** of data protection under UK GDPR:

- Lawfulness, fairness, and transparency – Data must be processed lawfully, fairly, and transparently.
- Purpose limitation – Data must only be collected for specified, explicit, and legitimate purposes.
- Data minimisation – Only necessary data should be collected and processed.
- Accuracy – Data must be kept accurate and up to date.
- Storage limitation – Data should not be kept for longer than necessary.
- Integrity and confidentiality (security) – Appropriate measures must be taken to protect personal data.
- Accountability – The Council must demonstrate compliance with data protection laws.

B. Council's Data Protection Commitments

Lawhitton Parish Council will:

- Collect and process personal data only when legally required or necessary for its operations.
- Maintain accurate records and ensure data security measures are in place.
- Ensure individuals' rights under UK GDPR are fully exercised, including the right to access, rectify, and erase personal data.
- Implement appropriate safeguards to prevent unauthorised access, loss, or destruction of data.
- Ensure third-party processors adhere to data protection requirements.
- Conduct regular reviews of data handling procedures and security measures.
- Report data breaches to the Information Commissioner's Office (ICO) within 72 hours, if required.

C. Access to Personal Data (Subject Access Requests - SARs)

- Individuals have the right to access personal data held by the Council.
- Requests must be made in writing to the Parish Clerk.
- The Council must respond within one month (previously 40 days under DPA 1998).
- Complex requests may require an extension of up to two additional months.
- If dissatisfied with the response, individuals can complain to the ICO.

2. Freedom of Information Policy

A. Introduction

Lawhitton Parish Council is committed to transparency and openness under the Freedom of Information Act 2000 (FOIA). The Council maintains a Publication Scheme, which provides details of the information routinely made available to the public.

The Publication Scheme is available:

- On the Parish Council website: www.lawhitton-parish.co.uk
- On the Village Hall notice board

B. How to Obtain Information

Information can be accessed in the following ways:

- Parish Council Website – Contains Council policies, meeting minutes, agendas, financial statements, and public notices.
- Written Request to the Parish Clerk – If the required information is not available online, a request can be submitted by post or email. Requests must include:
 - Your name
 - Your contact details
 - A detailed description of the information required

C. Council's Response to a Request

Within 20 working days, the Council will:

- Confirm whether the information is held.
- Advise if a fee will be charged.
- Provide the information (unless an exemption applies).

D. Exemptions

Certain types of information may be withheld under 23 exemptions set out in FOIA, including:

- Personal data, protected under UK GDPR and DPA 2018.
- Commercially confidential information.
- Information that could prejudice the effective conduct of public affairs.

If an exemption applies, the Council will provide an explanation for withholding the information.

E. Charges for Information Requests

The Council may charge for requests in line with FOIA Fees Regulations 2004:

- Disbursement costs such as printing, photocopying, and postage may apply.
- If the cost of retrieving information is under £450, it will normally be provided free of charge, except for disbursement costs.
- If costs exceed £450 (based on an hourly rate of £25 per FOIA guidelines), the Council may:
 - Refuse the request
 - Charge for the full cost
 - Provide the information free of charge (at its discretion)

If a Fee Notice is sent if applicable. The request will not be processed until payment is received. If the actual costs are lower than the estimated fee, the difference will be refunded.

3. Further Help and Complaints Procedure

A. Further Assistance

For help accessing information, contact the Parish Clerk:

Email: clerk@lawhittonpc.org.uk

Phone: 0788 600 4919

Further information about FOIA and Data Protection is available from the Information Commissioner's Office (ICO): Website: www.ico.org.uk

B. Complaints Process

If you are dissatisfied with the Council's response, you may:

Submit a written complaint to the Parish Clerk.

If unresolved, escalate the complaint to the ICO:

Information Commissioner's Office,

Wycliffe House, Water Lane,

Wilmslow, Cheshire, SK9 5AF

Helpline: 0303 123 1113

Website: www.ico.org.uk