

## **Hamble Parish Council Information Governance, Transparency, and Data Protection Policy**

### **1. Introduction**

This policy sets out how Hamble Parish Council (HPC) manages, protects, and provides access to information in line with its legal responsibilities and commitment to transparency.

It combines our responsibilities under:

- The UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018
- Freedom of Information Act 2000 (FOIA)
- Environmental Information Regulations 2004 (EIR)
- Local Government Act 1972
- Local Audit and Accountability Act 2014

This policy applies to all councillors, the Clerk, employees, volunteers, contractors, and any partners who handle information on behalf of the Parish Council.

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### **2. Data Protection (UK GDPR & DPA 2018)**

#### **2.1 Personal Data Held**

Hamble Parish Council collects and uses personal data to deliver services, fulfil legal obligations, and carry out its functions. This includes:

- Contact information for residents, suppliers, and service users
- Information relating to council services (e.g. allotments, bookings, planning responses)
- Employee, councillor, and volunteer information
- Financial, audit, and payment information
- Enquiries, complaints, and correspondence
- CCTV images (where used)

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#### **2.2 Personal Data Handled on Behalf of Partners**

HPC may act as a data *controller*, *joint controller*, or *data processor* when handling information for or alongside partner organisations, including:

- Community groups
- Contractors and service providers



- Other public bodies
- Local authorities

Where this occurs, HPC ensures that:

- Data sharing or processing agreements are in place
- Only necessary data is shared and held
- Security standards and legal requirements are met
- Roles and responsibilities are clearly defined

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### **2.3 Purposes for Processing Personal Data**

HPC processes personal data to:

- Fulfil its duties as an employer
- Deliver public services and manage council facilities
- Meet legal and statutory obligations
- Respond to enquiries, service requests, and complaints
- Manage council governance, elections, and meetings
- Support community engagement, surveys, and consultations
- Assist law enforcement and regulatory bodies
- Maintain accurate records of councillors, employees, partners, and volunteers

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### **2.4 Lawful Basis for Processing**

We ensure that every item of personal data is processed under at least one lawful basis:

- Consent
- Performance of a contract
- Legal obligation
- Protection of vital interests
- Public task (most Council processing)
- Legitimate interests (where appropriate)

Special category data is processed under:

- Explicit consent
- Employment or social protection obligations
- Vital interests
- Substantial public interest as defined by law

### **2.5 Rights of Individuals**

Individuals have the right to:



- Access their data
- Request correction
- Request erasure (where applicable)
- Restrict or object to processing
- Request data portability
- Withdraw consent

Requests must be made in writing to the Clerk.

## **2.6 Data Security**

HPC keeps personal data secure through:

- Password-protected and encrypted systems
- Locked physical storage
- Access controls and staff training
- Secure data transfer procedures

## **2.7 Data Breaches**

Any breach will be recorded, assessed, and handled promptly.

Where a breach poses a risk to individuals, it will be reported to the Information Commissioners Office (ICO) within 72 hours.

## **2.8 Delegated Data Protection Lead**

Hamble Parish Council is not legally required to appoint a statutory Data Protection Officer.

However, the Council designates the **Clerk** as the **Data Protection Lead**, responsible for:

- Advising on data protection compliance
- Managing Subject Access Requests
- Coordinating data breach reporting
- Maintaining the Privacy Notice
- Acting as the main point of contact for data protection queries

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## **3. Freedom of Information Act (FOIA) and Environmental Information Regulations (EIR)**

### **3.1 Public Right of Access**

Under FOIA and EIR, the public has a right to request information held by the Parish Council.

Requests must:

- Be in writing (email or letter)
- Include the requester's name and address
- Describe the information requested

### **3.2 Response Times**



We will respond within **20 working days** of receiving a valid request.

### **3.3 Exemptions**

Some information may be withheld if it is:

- Personal data
- Commercially sensitive
- Confidential or legally protected

### **3.4 Appeals**

If you are unhappy with a response, you may request an internal review by the Clerk.

You can then appeal to the Information Commissioner's Office if not satisfied.

Further information published proactively by the Council can be found in our Publication Scheme in accordance with the ICO Model Publication Scheme.

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## **4. Transparency and Access to Information**

### **4.1 Transparency Requirements**

As a parish council with annual turnover **exceeding £25,000**, we are subject to the **Local Audit and Accountability Act 2014** and associated transparency obligations. We are committed to open governance and publish the following information either on our website or by request:

- Full council meeting agendas and approved minutes
- Annual Governance and Accountability Return (AGAR)
- Internal and external audit reports
- Councillors' responsibilities and declarations of interest
- Public contracts and tenders
- Payments over £500
- Budget and precept information
- Land and asset register

This ensures our residents can easily access key information about how public money is managed and decisions are made.

### **4.2 Right to Inspect Accounts**

Under the Local Audit and Accountability Act, members of the public have the right to:

- Inspect the council's accounts and accounting records
- Ask questions of the external auditor
- Object to accounts or matters included in them

We publish the **period for the exercise of public rights** each year in line with audit requirements.

### **4.3 Access to Council Documents**

Members of the public may request to inspect certain council records by contacting the Clerk. Some records (such as employment, legal, or personal data) may be exempt from public access.



#### **4.4 ICO Model Publication Scheme**

HPC adopts the ICO Model Publication Scheme.

Our **Publication Scheme**—containing a full table of information we publish and how it can be accessed—is available on our website or in hard copy on request.

The Publication Scheme sets out the classes of information the Council must routinely make available, the format in which it is published, and whether any charges apply.

The Council maintains a **Publication Scheme Guide to Information** which details:

- The information we publish proactively
- Where this information can be accessed
- How to request information that is not published

This Policy supports the Publication Scheme by explaining how the Council manages, protects, and provides access to information and how requests under the Freedom of Information Act and Environmental Information Regulations are handled.

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### **5. Records Management and Retention (see separate Information & Retention Policy)**

#### **5.1 Storage and Access**

Council records are stored securely, either:

- Electronically (with password protection), or
- In locked physical storage

Access is restricted to authorised personnel only.

#### **5.2 Retention and Disposal**

We follow a retention schedule based on guidance from the National Association of Local Councils (NALC) and the Information and Records Management Society (IRMS).

For example:

- Minutes: Permanent
- Correspondence: As long as they are needed
- Financial records: 6 years
- Personal Details/Data: As outlined and in accordance with the guidance and content

Records are securely deleted or shredded when no longer needed.

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### **6. Roles and Responsibilities**

#### **6.1 The Clerk**

The Clerk is responsible for:

- Managing data protection compliance
- Responding to FOI and Subject Access Requests
- Ensuring secure handling of information
- Reviewing and updating this policy

#### **6.2 Councillors and Staff**

All councillors and staff must:

- Handle information lawfully and securely
- Avoid sharing personal or sensitive data inappropriately



- Report any concerns or breaches to the Clerk

### **6.3 Data Protection Officer / Data Protection Lead**

The Parish Council is **not legally required** to appoint a statutory Data Protection Officer under the UK GDPR.

However, the Council designates the **Clerk** as the Council's **Data Protection Lead** and main point of contact for all data protection matters, including:

- advising on data protection obligations
- responding to Subject Access Requests and data rights queries
- coordinating data breach reporting
- ensuring compliance with this Information Governance Policy
- maintaining the Council's Privacy Notice

All enquiries relating to personal data or data protection should be directed to the Clerk in this role.

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## **7. Data Subject and FOI Requests**

### **7.1 How to Make a Request**

Requests for personal data (Subject Access Requests) or council-held information (FOI or EIR requests) can be made by:

- Emailing the Clerk at: [clerk@hambleparishcouncil.gov.uk](mailto:clerk@hambleparishcouncil.gov.uk)
- Writing to: The Clerk, Memorial Hall, High Street, Hamble Lane, Hamble, SO31 4JE.

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## **8. Breach Reporting and Complaints**

- Any data breaches will be recorded and assessed by the Clerk.
- Serious breaches will be reported to the ICO – See Below
- Complaints about access to information can be made to the Clerk and escalated to the ICO if unresolved.

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## **9. Monitoring and Review**

This policy will be reviewed annually, or sooner if legislation changes. The Clerk is responsible for ensuring the policy remains up to date.

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## **10. Contact Information**

### **Clerk to the Council**

Helen Robinson

Email: [clerk@hambleparishcouncil.gov.uk](mailto:clerk@hambleparishcouncil.gov.uk)

Phone: 02380 453422

Address: Memorial Hall, Hamble Lane, Hamble, SO31 4JE.

### **Information Commissioner's Office (ICO)**

Website: <https://ico.org.uk>

Helpline: 0303 123 1113



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