

POLICY:	INFORMATION AND DATA PROTECTION POLICY
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Available to:	All Staff, Councillors & Public
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1. Description

This Information and Data Protection Policy outlines how the Council manages, protects, and uses information and data to ensure confidentiality, integrity, and availability. It sets the rules and procedures for handling data, particularly personal or sensitive information, to comply with legal, regulatory, and ethical standards.

2. Purpose of this policy

Ludlow Town Council recognises it must at times, keep and process sensitive and personal information about both employees and the public, it has therefore adopted this policy not only to meet its legal obligations but to ensure high standards.

This policy safeguards data from unauthorized access, loss, or misuse.

3. Scope

This policy applies to all data collected and held by Ludlow Town Council including all forms of information (digital, paper, audio, etc.) and all users (employees, contractors, partners).

4. Procedure

4.1 Data Collection Procedures

Only collect data that is necessary for the purpose.

Inform data subjects why their data is being collected and how it will be used.

Obtain consent where required.

4.2 Data Access and Use

Limit access to data based on roles and responsibilities (role-based access control).

Ensure users only access data needed for their tasks.

Prohibit sharing of confidential data without authorization.

4.3 Data Storage and Security

Store data securely (encrypted digital storage, locked physical files).

Implement strong password policies and authentication measures.

Regularly back up data and ensure secure offsite storage for critical data.

4.4 Data Transfer

Use secure methods when transferring data internally or externally (encrypted emails, secure file transfer protocols).

Avoid transferring sensitive data through unsecured channels.

4.5 Data Retention and Disposal

Keep data only as long as necessary for the stated purpose.

Securely delete or destroy data that is no longer required (shredding paper files, wiping electronic storage).

4.6 Data Breach Procedures

Detect and report data breaches promptly.

Investigate incidents to determine cause and impact.

Notify affected individuals and regulatory authorities if required.

Implement corrective measures to prevent future breaches.

4.7 Training and Awareness

Train employees on data protection practices and policy requirements.

Conduct regular awareness sessions and updates on legal/regulatory changes.

4.8 Compliance and Monitoring

Conduct periodic audits to ensure policy compliance.

Document all data processing activities.

Review and update procedures regularly.

4.9 Introduction

In order to conduct its business, services and duties, Ludlow Town Council processes a wide range of data, relating to its own operations and some which it handles on behalf of partners. In broad terms, this data can be classified as:

- Data shared in the public arena about the services it offers, its mode of operations and other information it is required to make available to the public.
- Confidential information and data not yet in the public arena such as ideas or policies that are being worked up.
- Confidential information about other organisations because of commercial sensitivity.
- Personal data concerning its current, past and potential employees, Councillors, and volunteers.
- Personal data concerning individuals who contact it for information, to access its services or facilities or to make a complaint.

Ludlow Town Council will adopt procedures and manage responsibly, all data which it handles and will respect the confidentiality of both its own data and that belonging to partner organisations it works with and members of the public. In some cases, it will have contractual obligations towards confidential data, but in addition will have specific legal responsibilities for personal and sensitive information under data protection legislation.

The Council will annually review and revise this policy in the light of experience, comments from data subjects and guidance from the Information Commissioners Office.

The Council will be as transparent as possible about its operations and will work closely with public, community and voluntary organisations. Therefore, in the case of all information which is not personal or confidential, it will be prepared to make it available to partners and members of the Town's communities. Details of information which is routinely available is contained in the Council's Publication Scheme which is based on the statutory model publication scheme for local councils.

4.10 The policy is based on the premise that **Personal Data** must be:

- Processed fairly, lawfully and in a transparent manner in relation to the data subject.
- Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.
- Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
- Accurate and, where necessary, kept up to date.
- Kept in a form that permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed.
- Processed in a manner that ensures appropriate security of the personal data including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

4.11 Data Protection Terminology

Data subject - means the person whose personal data is being processed. That may be an employee, prospective employee, associate or prospective associate of Ludlow Town Council or someone transacting with it in some way, or an employee, Member or volunteer with one of our clients, or persons transacting or contracting with one of our clients when we process data for them.

Personal data - means any information relating to a natural person or data subject that can be used directly or indirectly to identify the person.

It can be anything from a name, a photo, and an address, date of birth, an email address, bank details, and posts on social networking sites or a computer IP address.

Sensitive personal data - includes information about racial or ethnic origin, political opinions, and religious or other beliefs, trade union membership, medical information, sexual orientation, genetic and biometric data or information related to offences or alleged offences where it is used to uniquely identify an individual.

Data controller - means a person who (either alone or jointly or in common with other persons) (e.g. Council, employer) determines the purposes for which and the manner in which any personal data is to be processed.

Data processor - in relation to personal data, means any person (other than an employee of the data controller) who processes the data on behalf of the data controller.

Processing information or data - means obtaining, recording or holding the information or data or carrying out any operation or set of operations on the information or data, including:

- organising, adapting or altering it
- retrieving, consulting or using the information or data
- disclosing the information or data by transmission, dissemination or otherwise making it available
- aligning, combining, blocking, erasing or destroying the information or data. regardless of the technology used.

4.12 Ludlow Town Council processes **personal data** in order to:

- fulfil its duties as an employer by complying with the terms of contracts of employment, safeguarding the employee and maintaining information required by law.
- pursue the legitimate interests of its business and its duties as a public body, by fulfilling contractual terms with other organisations, and maintaining information required by law.
- monitor its activities including the equality and diversity of its activities
- fulfil its duties in operating the business premises including security
- assist regulatory and law enforcement agencies
- process information including the recording and updating details about its Councillors, employees, partners and volunteers.
- process information including the recording and updating details about individuals who contact it for information, or to access a service, or make a complaint.
- undertake surveys, censuses and questionnaires to fulfil the objectives and purposes of the Council.
- undertake research, audit and quality improvement work to fulfil its objects and purposes.
- carry out Council administration.

Where appropriate and governed by necessary safeguards we will carry out the above processing jointly with other appropriate bodies from time to time.

4.13 The Council will ensure that at least one of the following conditions is met for personal information to be considered fairly processed:

- The individual has consented to the processing
- Processing is necessary for the performance of a contract or agreement with the individual
- Processing is required under a legal obligation
- Processing is necessary to protect the vital interests of the individual
- Processing is necessary to carry out public functions
- Processing is necessary in order to pursue the legitimate interests of the data controller or third parties.

4.14 Particular attention is paid to the processing of any **sensitive personal information** and the Council will ensure that at least one of the following conditions is met:

- Explicit consent of the individual
- Required by law to process the data for employment purposes

- A requirement in order to protect the vital interests of the individual or another person

4.15 Who is responsible for protecting a person's personal data?

The Council as a corporate body has ultimate responsibility for ensuring compliance with the Data Protection legislation. The Council has delegated this responsibility day to day to the Town Clerk.

- Email: townclerk@ludlow.gov.uk
- Phone: 01584 871 970
- Correspondence: Gina Wilding, Town Clerk, Ludlow Town Council, The Guildhall, Mill Street, Ludlow SY8 1AZ

The Council has also appointed an external Data Protection Officer to ensure compliance with Data Protection legislation who may be contacted at: IAC Audit & Consultancy Ltd (dpo@audit-iac.com)

4.16 Diversity Monitoring

Ludlow Town Council monitors the diversity of its employees, and Councillors, in order to ensure that there is no inappropriate or unlawful discrimination in the way it conducts its activities. It undertakes similar data handling in respect of prospective employees. This data will always be treated as confidential. It will only be accessed by authorised individuals within the Council and will not be disclosed to any other bodies or individuals. Diversity information will never be used as selection criteria and will not be made available to others involved in the recruitment process. Anonymised data derived from diversity monitoring will be used for monitoring purposes and may be published and passed to other bodies.

The Council will always give guidance on personnel data to employees, councillors, partners and volunteers through a Privacy Notice and ensure that individuals on whom personal information is kept are aware of their rights and have easy access to that information on request.

Appropriate technical and organisational measures will be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.

Personal data shall not be transferred to a country or territory outside the European Economic Areas unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

4.17 Information Provided to Us

Personal information (e.g., name, address, email, phone) is collected and stored to allow the Council to respond or carry out requested transactions. By interacting with the Council, individuals consent to their data being used

according to this policy, with written consent sought where possible. Individuals are responsible for keeping their data accurate. Personal information will not be shared with third parties or used for other purposes.

4.18 The Councils Right to Process Information

- General Data Protection Regulations (and Data Protection Act) Article 6 (1) (a) (b) and (e)
- Processing is with consent of the data subject, or
- Processing is necessary for compliance with a legal obligation.
- Processing is necessary for the legitimate interests of the Council.

4.19 Information Security

The Council cares to ensure the security of personal data. We make sure that your information is protected from unauthorised access, loss, manipulation, falsification, destruction or unauthorised disclosure. This is done through appropriate technical measures and appropriate policies.

We will only keep your data for the purpose it was collected for and only for as long as is necessary, after which it will be deleted.

4.20 Children

We will not process any data relating to a child (under 13) without the express parental/ guardian consent of the child concerned.

4.21 Rights of a Data Subject

Access to Information: an individual has the right to request access to the information we have on them. They can do this by contacting our Clerk or Data Protection Officer:

Information Correction: If they believe that the information we have about them is incorrect, they may contact the Clerk so that we can update it and keep their data accurate.

Information Deletion: If the individual wishes the Council to delete the information about them, they can do so by contacting the Clerk.

Right to Object: If an individual believes their data is not being processed for the purpose it has been collected for, they may object by contacting the Clerk or Data Protection Officer.

The Council does not use automated decision making or profiling of individual personal data.

4.22 Complaints

If an individual has a complaint regarding the way their personal data has been processed, they may make a complaint to the Clerk, Data Protection Officer or the Information Commissioners Office casework@ico.org.uk Tel: 0303 123 1113.

The Council will always give guidance on personnel data to employees through the Employee handbook.

The Council will ensure that individuals on whom personal information is kept are aware of their rights and have easy access to that information on request.

4.23 Making Information Available

The Council's Publication Scheme allows routine access to a wide range of information, encouraging public interest in its work. In line with the Freedom of Information Act 2000, the Scheme outlines the classes of information the Council publishes, supplemented by an Information Guide for easier access.

Formal Council and Committee meetings are publicly announced via notice boards, the website, and local media, with an annual programme published each May. All meetings are open to the public and press, and reports and background papers are available. Public participation is welcomed, with sessions included in each meeting.

Some matters may be discussed in private—such as personnel or sensitive commercial issues—only after a formal resolution excluding the press and public, with reasons recorded. Minutes from all meetings, including confidential sections, remain public.

The Openness of Local Government Bodies Regulations 2014 requires records of significant delegated officer decisions. Routine administrative actions are excluded, but urgent decisions that would normally require Council approval are recorded.

The 2014 Regulations also allow public and press to film, photograph, or record meetings, provided it is not disruptive. The Council will protect children, vulnerable individuals, and those who object to being recorded. Special arrangements can be made on request for non-English speakers or individuals with hearing or sight difficulties.

4.24 Disclosure Information

The Council will as necessary, undertake checks on both staff and Members with the Disclosure and Barring Service and will comply with their Code of Conduct relating to the secure storage, handling, use, retention and disposal of

Disclosures and Disclosure Information. It will include an appropriate operating procedure in its integrated quality management system.

4.25 Data Transparency

The Council has resolved to act in accordance with the Code of Recommended Practice for Local Authorities on Data Transparency (September 2011). This sets out the key principles for local authorities in creating greater transparency through the publication of public data and is intended to help them meet obligations of the legislative framework concerning information.

“Public data” means the objective, factual data on which policy decisions are based and on which public services are assessed, or which is collected or generated in the course of public service delivery.

The Code will therefore underpin the Council’s decisions on the release of public data and ensure it is proactive in pursuing higher standards and responding to best practice as it develops.

The principles of the Code are:

- **Demand led:** new technologies and publication of data should support transparency and accountability
- **Open:** the provision of public data will be integral to the Council’s engagement with residents so that it drives accountability to them.
- **Timely:** data will be published as soon as possible following production.

Government has also issued a further Code of Recommended Practice on Transparency, compliance of which is compulsory for parish councils with turnover (gross income or gross expenditure) not exceeding £25,000 per annum. These Councils will be exempt from the requirement to have an external audit from April 2017. Ludlow Town Council exceeds this turnover but will never the less ensure the following information is published on its Website for ease of access:

- All transactions above £100.
- End of year accounts
- Annual Governance Statements
- Internal Audit Report
- List of Councillor or Member responsibilities
- Details of public land and building assets
- Draft minutes of Council and Committees within one month
- Agendas and associated papers no later than three clear days before the meeting.

5. Legal

General Data Protection Regulations (and Data Protection Act) Article 6 (1) (a) (b) and (e)

Data Protection Act 1998

Freedom of Information Act 2000

Openness of Local Government Bodies Regulations 2014
Public Bodies (Admission to Meetings) Act 1960
Code of Recommended Practice for Local Authorities on Data Transparency
(September 2011)
Code of Recommended Practice on Transparency

6. Other relevant policies

Model Publication Scheme
Standing Orders