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## Data Protection & Retention Policy

### Introduction

1. Beaulieu Parish Council (“the Council”) recognises and accepts the importance of processing personal data and that the UK General Data Protection Regulation (“UK GDPR”) and the Data Protection Act 2018 establish important principles and obligations relating to the lawful handling of personal information.
2. In complying with the UK GDPR and the Data Protection Act 2018 the Council shall ensure that all data is:
  - a. used fairly, lawfully and transparently;
  - b. used for specified, explicit purposes;
  - c. used in a way that is adequate, relevant and limited to only what is necessary;
  - d. accurate and, where necessary, kept up to date;
  - e. kept for no longer than is necessary;
  - f. handled in a way that ensures appropriate security, including protection against unlawful or unauthorised processing, access, loss, destruction or damage; and
  - g. handled with accountability to ensure that appropriate processes and records are [in place to demonstrate compliance](#).

### Data Protection Lead

3. The Council designates the Parish Clerk as the lead officer for data protection compliance and administration.
4. The Clerk shall take all reasonable and proportionate steps to ensure the security of Council data, including:
  - a. use of council-controlled, password-protected email accounts;
  - b. password protection and secure storage of electronic devices and records;
  - c. use of multi-factor authentication where available and practical;
  - d. restricted access to personal data; and
  - e. secure disposal of electronic and paper records.

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5. The Council does not use automated decision-making or profiling involving personal data.
6. Where the lawful basis for processing data is consent, the Council will ensure that consent is freely given, specific, informed and unambiguous.

### **Children's Data**

7. Where consent is relied upon for online information society services involving children under the age of 13, parental or guardian consent shall be obtained.

### **Third Party Processors**

8. The Council will ensure that any third party processing personal data on its behalf has appropriate data protection and security arrangements in place, including breach reporting procedures, and these requirements shall form part of any contract or agreement entered into.

### **Training and Compliance**

9. Councillors and staff must comply with any procedures developed in accordance with this policy.
10. The Clerk and all Councillors shall receive a copy of this policy together with any training or guidance considered appropriate.
11. Guidance on data protection is available from the Information Commissioner's Office.

### **Privacy Notices**

12. The Clerk shall prepare and maintain appropriate Privacy Notices, which shall be published on the Council website and reviewed periodically.
13. The Council will use a blended approach to provide privacy information to individuals, including information at the point of collection and reference to fuller Privacy Notices where appropriate.
14. Privacy information shall explain:
  - a. why data is being collected
  - b. how it will be used
  - c. how long it will be retained
  - d. whether it will be shared with third parties
  - e. the rights of the data subject.
15. Privacy Notices shall be prepared with reference to Information Commissioner's Office guidance and written in clear and accessible language.
16. This policy shall be published alongside the Council's Privacy Notices and Accessibility Statement on the Council website.

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#### **Data Breaches**

17. The Parish Clerk shall maintain procedures to safeguard against potential data breaches.
18. All actual or suspected data breaches shall be reported to the Parish Clerk who shall maintain a record of breaches and determine, in accordance with Information Commissioner's Office guidance, whether the breach must be reported to the ICO and/or affected individuals.
19. Reportable breaches shall be notified to the Information Commissioner's Office within 72 hours where legally required.

#### **Data Protection Impact Assessments**

20. A Data Protection Impact Assessment ("DPIA") is a process used to identify and minimise data protection risks associated with projects or new processing activities.
21. The Parish Clerk shall maintain procedures for determining when a DPIA is required and for undertaking such assessments where necessary.

#### **Data Retention**

22. The Council will only retain data for as long as necessary and in accordance with the Council's Retention Schedule (see Annex A).
23. Routine email correspondence shall normally be retained for two years unless required for legal, audit, governance or historic purposes.
24. Records containing personal information shall be securely destroyed at the end of the applicable retention period unless retention is required by law or for archive purposes.
25. Documents considered to be of historic interest may be retained in the Parish Office or transferred to the appropriate Records Office or archive.

#### **Data Subject Rights**

26. Under the UK GDPR and the Data Protection Act 2018, individuals have rights including:
  - the right to be informed
  - the right of access
  - the right to rectification
  - the right to erasure
  - the right to restrict processing
  - the right to data portability
  - the right to object to processing in certain circumstances.
27. Requests relating to these rights should be made to the Parish Clerk.

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**Annex A**  
**Data Retention Schedule**

**1. General Records**

<b>Document</b>	<b>Minimum Retention Period</b>	<b>Reason</b>
Signed Minutes	Indefinite	Archive, public inspection
Agendas	5 years	Management
Title Documents / Deeds	Indefinite	Audit, management
Contracts / Leases	Indefinite	Management
Routine Email Correspondence	2 years unless required for legal, audit, governance or historic purposes	Local choice / governance
Register of Members' Interests	1 year after end of service	Local choice
Members' Allowances Register	6 years	Tax / Limitation Act
Strategic Plans / Annual Reports	Permanent archive once superseded	Common practice
Policies and Procedures	7 years after superseded	Governance
Project Planning Documents	2 years after project completion	Local choice
Legal / Litigation Files	Active + 7 years	Limitation periods
Commercial Debt Recovery Matters	Active + 2 years	Local choice
Complaints Records	6 years	Common practice
Accident / Incident Reports	20 years	Potential claims

**2. Financial Records**

<b>Document</b>	<b>Minimum Retention Period</b>	<b>Reason</b>
Audited Accounts and Cash Books	Indefinite	Audit / archive
Accounting Records (Invoices, VAT etc.)	6 years	VAT / HMRC
Bank Statements / Paying-in Books	Current audit year + 6 years	Audit
Insurance Policies	Whilst valid + 6 years	Claims evidence
Employer's Liability Certificates	40 years	Statutory requirement
Budgets	Indefinite	Management
Quotations and Tenders	6 years	Limitation Act
Payroll Records	12 years	Superannuation / HMRC

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VAT Records	6 years	HMRC
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**3. Employment Records**

<b>Document</b>	<b>Minimum Retention Period</b>	<b>Reason</b>
Recruitment Documents	5 years	Local choice
Unsuccessful Applicant Records	1 year	Equal opportunities claims
Accident or Injury at Work	7 years	Local choice
Personnel Administration Records	6 years after employment ends	Statutory / governance
Personnel Service Records	Indefinite	Historic employment record

**4. Service Records**

<b>Document</b>	<b>Minimum Retention Period</b>	<b>Reason</b>
Play Area Inspection Reports	21 years	Potential claims
Fees and Charges Records	6 years	Management