



Clydach Community Council

Data Retention and GDPR Policy and Procedure

1. Introduction

Clydach Community Council (hereinafter referred to as "the Council") is committed to ensuring compliance with the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018, and other relevant legislation concerning the handling, retention, and protection of personal data. This policy outlines the Council's procedures for data retention, ensuring that personal data is kept only for as long as necessary and is securely disposed of when no longer needed.

2. Purpose

The purpose of this policy is to ensure that the Council:

- Complies with legal, regulatory, and contractual obligations.
- Manages data in a way that minimises risks to individuals' rights and freedoms.
- Ensures data is retained only as long as necessary and disposed of securely.
- Supports transparency and accountability in the management of personal data.

3. Scope

This policy applies to all personal data processed by the Council, regardless of format (electronic, paper, etc.), including but not limited to:

- Employee records
- Councillor information
- Resident and service user data
- Vendor and contractor information
- CCTV footage
- Any other personal data processed by the Council in the course of its duties

4. Legal Basis for Data Retention

Under the UK GDPR, personal data must be retained for no longer than is necessary for the purposes for which it is processed. The Council will identify the legal basis for data processing in all cases and ensure that retention periods align with legal requirements and best practices.

5. Data Retention Periods

The Council will retain personal data for varying periods, depending on the category of data and the purpose for which it is processed. The table below outlines the general retention periods for various types of data processed by the Council:

Data Category	Retention Period
Council Minutes and Agendas	Permanent
Employee Records	6 years after employment ceases
Financial Records	6 years from the end of the financial year to which they relate
Councillor Information	4 years after ceasing to be a councillor
Resident Enquiries/Complaints	2 years after resolution
Vendor/Contractor Information	6 years after the end of the contract
Planning Applications	10 years after the decision has been made (or as required by law)
Health and Safety Records	40 years (for incidents involving hazardous substances)
General Correspondence	2 years
CCTV Footage	30 days unless required for an ongoing investigation

Retention periods are reviewed regularly and updated as necessary to comply with legal and regulatory changes.

6. Data Disposal

CCTV Access and Viewing Restrictions

Access to CCTV footage is strictly limited to authorised personnel. Only the following individuals may view CCTV recordings:

- The Clerk to the Council
- Designated officers and members of the Council with specific responsibility for security and data protection.
- Law enforcement agencies upon formal request
- Other third parties as required by law or authorised by the Council in accordance with GDPR regulations

A record will be kept of all instances where CCTV footage is accessed, including the reason for access and the individuals involved.

When personal data is no longer required, the Council will ensure that it is disposed of securely to prevent unauthorised access, loss, or misuse. The following disposal methods will be used:

- **Paper records:** Shredding or incineration.
- **Electronic records:** Secure deletion or data wiping, ensuring data cannot be recovered.
- **CCTV Footage:** Automatic deletion after 30 days unless retained for an investigation.
- **A log of data disposals:** including the date, method, and nature of the data disposed of, will be maintained.

7. Data Subject Rights

Individuals have rights under the UK GDPR regarding their personal data, including the right to:

- Access their personal data held by the Council.
- Request rectification of inaccurate data.
- Request the erasure of their data where it is no longer necessary for the purposes for which it was collected.
- Restrict or object to the processing of their data.
- Data portability, where applicable.

The Council will respond to data subject requests in accordance with its Data Protection Policy and within the statutory timeframes.

8. Data Breaches

In the event of a data breach, the Council will follow its Data Breach Response Procedure, which includes:

- Immediate containment and recovery actions.
- Notification to the Information Commissioner's Office (ICO) within 72 hours if the breach is likely to result in a risk to individuals' rights and freedoms.

- Communication with affected individuals if the breach is likely to result in a high risk to their rights and freedoms.
- Documentation of the breach and subsequent actions taken.

9. Training and Awareness

All Council members, officers, and relevant third parties will receive training on data protection principles, this policy, and related procedures to ensure understanding and compliance. Regular updates and refresher training will be provided as necessary.

10. Policy Review

This policy will be reviewed annually or in response to significant changes in legislation or regulatory guidance. Any amendments will be approved by the Council and communicated to all relevant parties.

11. Contact Information

For any questions or concerns regarding this policy, or to exercise your data subject rights, please contact:

Data Protection Officer (DPO):

Cathy Kennedy
clerk@clydach.wales

Adopted by Clydach Community Council on: 21st March 2025

Next Review Date: March 2026

Data Protection Officer (DPO):

Updated 1st January 2026

Cathy Kennedy removed with Michaela Chaplin as the replacement DPO.