

Data Protection Policy

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Document Information

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Document Title	Data Protection Policy.
Document Description	This policy sets out how Chesterfield Borough Council manages and protects personal information in line with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. It explains the Council's responsibilities, outlines individuals' data protection rights, and the safeguards applied to ensure the lawful and secure processing of information. transparency, accountability, and compliance with legal obligations while safeguarding the public's right to access both general and environmental information.
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Version Control

Version	Date	Author	Changes
1.0.0	May 2018	Tony Smith	Initial Version.
1.0.1	July 2019	Tony Smith	Minor Updates. <ul style="list-style-type: none"> Removed reference to councillors paying ICO fee. Added DBS appendix.
1.0.2	July 2020	Rachael Beck	Reviewed and no changes.
1.0.3	December 2020	Rachael Beck	Minor Update <ul style="list-style-type: none"> Brexit changes. References to EU GDPR changed to UK
1.0.4	August 2023	Andrew Mitchell	Reviewed and no changes.
1.0.5	April 2024	Philip Tsang	Minor Update Amendments made to the current policy and included additional information: <ul style="list-style-type: none"> Reference to the current legal legislation, Updated referenced ICO URL. - Updated author and version up document. Section regarding marketing

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Version	Date	Author	Changes
2.0.0	October 2025	Philip Tsang	<p>Major Update</p> <ul style="list-style-type: none"> • Updated the layout and amended the policy so that it's easier to read. • Inclusion of the My Chesterfield Portal as the main route for raising a Subject Access Requests (SARs), and other individual rights request. • Additional sections for CCTV and telephone recordings, guidance & explanations for raising requests and redaction procedures. • Expanded guidance on housing related data disclosure. • Added clear process for obtaining housing property information. • Updated the communications and marketing section to distinguish statutory service updates and community engagement • Added details on processing Disclosure and Barring Service (DBS) data for specific services such as housing, homelessness, leisure, and licensing. • Updated the Data Protection Impact Assessment (DPIA) process to confirm it is integrated with a Risk Assessment for all projects involving the movement and processing of personal data. • Included a compliance section for accountability.
2.0.1	April 2026	Philip Tsang	<p>Minor Update</p> <p>Added telephone and postal contact options for Data Protection enquiries and rights requests.</p>

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Version	Date	Author	Changes
2.0.2	June 2026	Philip Tsang	<p>Version 2.0.2 – Minor Update</p> <ul style="list-style-type: none">• Updated Data Protection Rights section to provide clearer explanations.• Formatting change to update highlighted text from blue to bold for clarity for the Letter of Authority

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Introduction

Chesterfield Borough Council is committed to protecting the privacy and security of personal information. We collect and use data to deliver public services, meet our legal duties, and support our employees and councillors.

This policy explains how we manage, use, and protect personal information in line with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018 (DPA 2018). It also outlines your rights and explains how you can contact us if you have questions or concerns about how your data is used.

We registered as a data controller with the Information Commissioner's Office (ICO). Our ICO registration number is [Z5899205](#)

Our Commitment to Data Protection

We believe that good data protection builds trust between the Council and the people we serve. We are committed to being open, respectful, and careful with the information you share with us by:-

- Treating your personal information fairly, legally, and openly
- Collecting only what's necessary, keeping it safe, and storing it only as long as needed
- Helping you understand how your data is used
- Respecting your rights to access, update, or delete your information
- Regularly reviewing our data protection practices and training our staff

We do not sell personal data to anyone. We also take steps to make sure any organisation working with us keeps personal information secure and complies with the same high standards of data protection.

Scope

This policy applies to all personal data processed by or on behalf of Chesterfield Borough Council. It covers information held in all formats, including paper records, digital files, emails, and recorded calls.

The policy applies to all Council employees, Councillors, Contractors, Volunteers, Consultants, and any other third parties who handle personal data for Council purposes.

The Information We Collect and Use

Chesterfield Borough Council collects personal information in many ways, for example, when you apply for services, contact us, or register as a user for the My Chesterfield Portal.

This may include details such as your name, surname, address, contact information, date of birth, and identifiers such as a National Insurance number.

In some cases, we may also process more sensitive data, such as health or information about ethnicity, where this is necessary to provide certain services or meet our legal duties.

We use this information to deliver services, meet statutory responsibilities, manage our workforce, and support community wellbeing.

Each service publishes its own Privacy Notice, which provides service specific details about the information collected and how it is used. The Privacy notices are published online and be found at <https://www.chesterfield.gov.uk/your-council/your-chesterfield/data-protection-privacy-notice/>

Council Communications and Marketing

Chesterfield Borough Council communicates with residents for a variety of purposes. It is important to distinguish between statutory communications and marketing:

- **Statutory and service communications** - Messages related to council services, statutory duties, tenancy engagement, community wellbeing, and neighbourhood updates are not considered marketing.

These communications are sent to ensure residents receive essential information and support.

- **Optional events and promotional activities** - Communications about optional activities, such as theatre performances, leisure centre classes, or other events where attendance is not required, may be considered marketing.

These are only sent where consent is required by law, and you have the right to opt out.

All council staff and contractors must ensure that communications are sent appropriately, following these principles, to protect residents' personal data and respect their preferences.

Our Legal Basis for Using Personal Data

We only process personal information when the law allows us to do so.

The lawful bases we rely on include: -

- **Public task** - When we carry out our official duties and deliver public services, as set out in law. This includes activities such as managing housing services, collecting council tax, processing planning applications, issuing licences, or maintaining electoral registers.
- **Legal obligation** – When we are required by law to process certain personal data. Examples include maintaining statutory housing records, sharing information for safeguarding purposes, reporting to government departments, or complying with court orders and regulatory duties.
- **Contract** – When we need to process personal data to enter or fulfil a contract with you or to take steps at your request before doing so. Such examples include managing staff payroll, supplier contracts, or tenancy and lease agreements.
- **Vital interests** – When it is necessary to protect someone’s life or wellbeing, such as contacting emergency services or carrying out welfare checks.
- **Consent** – When you have given us clear permission to use your personal data for a specific purpose, such as receiving newsletters, taking part in consultations, or being contacted for community events. You can withdraw consent at any time.
- **Legitimate interests** –Public authorities generally rely on other lawful bases, we may occasionally process personal data under legitimate interests for internal administrative reasons or building security, safety, where this does not override your rights or freedoms.

Processing Sensitive Data

Chesterfield Borough Council recognises that some personal information requires extra protection. This includes data relating to an individual's health, ethnicity, religion or beliefs, political opinions, sexual orientation, and criminal convictions.

DBS Information

Disclosure and Barring Service (DBS) checks are occasionally required for roles where staff may have contact with vulnerable adults, work in leisure centres, manage housing services, or are involved in licensing applications, including taxi licensing.

The Council processes DBS information strictly for these purposes and ensures that it is handled securely and in line with data protection legislation.

Note all sensitive data, including DBS information, is only accessed by authorised personnel for legitimate purposes, and appropriate safeguards are applied to maintain confidentiality and security.

Children's Data

As a borough council, we do not manage children's social care or education services, as these are delivered by Derbyshire County Council, the upper authority.

However, we may come across children's personal data indirectly as part of our statutory duties, such as through housing services. We treat all children's data with extra care and in full compliance with data protection law.

For services specifically directed at children or young people, such as competitions or engagement activities, we obtain consent from parents or legal guardians where required by law.

How We Keep Information Secure

Protecting personal data is a top priority for Chesterfield Borough Council. We use technical, physical, and organisational measures to protect personal data.

Staff, councillors, and contractors must follow the Council's Information Security Policies and undertake annual Data Protection training.

When personal data is no longer needed, it is securely destroyed or deleted in line with our corporate Records Retention Schedule.

Your Data Protection Rights

You have the following rights regarding your personal data we process.

- **To Be informed** – Residents have the right to know what personal information the Council collects, why it is needed, how it is used, how long it is kept, and who it may be shared with.
- **To Access their information** (Subject Access Request) – Residents can request a copy of their personal information the Council holds about them and receive information about how it is being used.
- **To Request correction of inaccurate information** – Residents can ask the Council to correct personal information that is incorrect, incomplete, or out of date.
- **To Request deletion of information** (“right to be forgotten”) – Residents can ask the Council to delete their personal information in certain circumstances where there is no valid reason for it to be kept. The Council may need to keep some information where it has a legal duty or responsibility to do so.
- **To Restrict or object to processing** – Residents can ask the Council to limit or object to certain uses of their personal information in certain circumstances. Some processing is required by law or to deliver public services, so this right may not apply in all situations.

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- **To Request data portability** – Residents may request their personal information in a structured, commonly used format and transfer it to another organisation in certain circumstances. This right may have limited application to Council services.
- **To Challenge automated decisions** – Residents have the right to challenge decisions made solely by automated processes where these have a significant effect on them. The Council does not currently use automated decision-making systems that make decisions about residents without appropriate human involvement.

To exercise your rights or make a Data Protection enquiry, you can:

- Use the [My Chesterfield Portal](#).
- Email: foi@chesterfield.gov.uk or dpo@chesterfield.gov.uk .
- Telephone: 01246 345345
- Write to: Data protection officer, Chesterfield Borough Council, Town Hall, Rose Hill, Chesterfield, S40 1LP

Some rights may not apply if data is needed to fulfil legal obligations, such as providing housing support or support other essential services.

Subject Access Request Guidance

If you want to request a copy of your personal data, you must submit your request in writing via the My Chesterfield Portal, by email or letter, in line with Information Commissioner's Office (ICO) guidance.

To request your personal data, you may need to confirm your identity

- **Proof of identity** – one of the following: passport, driver's licence, provisional driver's licence, birth certificate, or marriage certificate.
- **Proof of address** – a recent document dated within the last six months, such as a utility bill or council tax statement.

If you are making a request on behalf of someone else, you must provide a signed **Letter of Authority** from that person.

Please clearly describe the data and timeframe to help us locate your information efficiently.

There is no charge for a Subject Access Request, unless the request is excessive or requires disproportionate administrative effort.

Property Information Requests

Information about your tenancy, such as your personal account details or tenancy agreement, can be requested under a Subject Access Request.

Other property-related information, such as inspection reports, gas certificates, or maintenance records, is treated as a business-as-usual request rather than a Subject Access Request. These requests can also be made via the My Chesterfield Portal (Feedback) via <https://www.chesterfield.gov.uk/mychesterfield-feedback>.

Any personal information about third parties within these documents will be redacted to protect privacy.

CCTV Requests

Chesterfield Borough Council operates CCTV systems in certain areas to prevent and detect crime, protect public safety, and manage Council property.

If you wish to request a copy of CCTV footage that contains your personal data, you may do so under your Subject Right of Access.

Please note: -

- We can only release footage that shows you personally.
- Any third-party individuals captured in the footage will be redacted or blurred.
- You must provide the exact date, time, and location of the footage to help us identify it.
- CCTV footage is retained for 30 rolling days and automatically overwritten after this period. Please contact us as soon as possible if you believe relevant footage exists.
- We will check, free of charge, whether the requested footage is available.

If the relevant CCTV footage is found: -

- Where significant redaction or technical work is required to protect third party identities, the Council may apply a reasonable administrative fee to cover the cost of this work.
- You will be informed of any potential fee in advance and given the opportunity to narrow or refine your request before the fee is applied.
- All redaction and disclosure will be handled securely in line with data protection legislation.

We strongly recommend that requests for CCTV footage are made via the police or your insurance company (as they can cover the cost) and handle footage for lawful purposes.

Telephone Call Recordings

Some telephone calls to Chesterfield Borough Council's contact centre may be recorded. Recordings are used to help improve services, support staff training, and maintain service quality.

Please note the following: -

- Not all telephone calls are recorded. Only calls that reach the contact centre system are routinely captured.
- Occasionally, calls may be recorded on an ad-hoc basis for specific purposes, such as investigations, service improvements, or staff training.
- Call recordings are retained for three months and then automatically overwritten.

You can request a recording that contains your personal information through a Subject Access Request. Recordings may contain other individuals' information, and any such information may be redacted before release.

To help us locate the recording efficiently, please provide the date, time, and contact number used.

We encourage requests to be made as soon as possible, as recordings are only available for a limited time.

Sharing Personal Information

We sometimes need to share information with other public bodies, government departments, or organisations that work on our behalf and you. We only share information when it is necessary, lawful, and proportionate to do so.

When we share data with partners or contractors, we make sure that appropriate data sharing agreements are in place to protect your information.

If we need to transfer data outside the United Kingdom, we ensure that it is adequately protected and that the organisation receiving it meets recognised data protection standards that are recognised legal mechanisms.

Personal Data Breaches

Although we take every possible precaution to prevent data breaches, however incidents can occasionally occur.

A data breach is when personal information is lost, shared, or accessed without authorisation. If this happens, we act quickly to investigate, contain, and assess the incident.

All Council employees, contractors, and Members are required to report any suspected data breaches to the Data Protection Officer (DPO) without delay. The DPO will investigate the incident and, if necessary, notify the Information Commissioner's Office (ICO) within 72 hours. If there is a significant risk to individuals' privacy, those affected will also be informed promptly.

Retaining Information

We only keep personal data for as long as necessary to carry out the purpose for which it was collected. Once it is no longer needed, the information is securely deleted or destroyed. Our corporate Records Retention Schedule sets out how long different types of information are kept.

Data Protection Impact Assessments (DPIA)

Chesterfield Borough Council carries out a Data Protection Impact Assessment (DPIA) whenever a new project, system, or service involves the processing of personal data and particularly where there may be a high risk to individuals' rights and freedoms.

DPIAs are integrated into the Council's corporate risk assessment process to ensure that data protection, information security, and privacy risks are considered alongside other project and operational risks from the outset.

All projects or changes that involve processing personal data must complete a DPIA as part of their approval and governance process.

This ensures that privacy risks are identified early, appropriate controls are implemented, and compliance with UK GDPR and the Data Protection Act 2018 is maintained throughout the project lifecycle.

International Transfers of Data

Chesterfield Borough Council primarily processes and stores personal data within the United Kingdom. In limited circumstances, personal data may be transferred to countries within the European Economic Area (EEA).

When this happens, we ensure that the same level of protection required under UK GDPR is applied. We do not transfer personal data outside of the UK or EEA unless there are robust legal safeguards in place to protect your personal data.

Contact and Complaints

If you have any questions about how your personal data is handled, please contact:

Data Protection Officer

Chesterfield Borough Council

Town Hall, Rose Hill,

Chesterfield, S40 1LP

dpo@chesterfield.gov.uk

If you are unhappy with how we have handled your information and wish to make a complaint, you can also contact the Information Commissioner's Office (ICO):

Information Commissioner's Office

Wycliffe House

Water Lane, Wilmslow

Cheshire, SK9 5AF

Website: www.ico.org.uk

Tel: 0303 123 1113

Keeping This Policy Up to Date

We regularly review this policy to make sure it reflects changes in the law and in how we handle information. The policy is reviewed at least once a year or sooner if there are significant updates to data protection legislation or Council practices.

Compliance

All employees, councillors, contractors, volunteers, and any third parties acting on behalf of Chesterfield Borough Council are required to comply with this Data Protection Policy. Compliance ensures that personal data is handled lawfully, fairly, and securely, in line with the UK GDPR and the Data Protection Act 2018.

Directors, Heads of Service (Tier 4 Managers), and Team Leaders are responsible for ensuring that their teams follow this policy and that personal data activities within their remit meet these requirements.

Any breaches of this policy, whether deliberate or through negligence, may result in disciplinary action in line with council procedures. In serious cases, breaches may also be reported to the Information Commissioner's Office (ICO), which has the authority to investigate and enforce legal action if required.

The Council has a designated Data Protection Officer and assigns data protection responsibilities across all service areas to ensure ongoing compliance and accountability.