

Ludgershall Town Council



WhatsApp Use Policy

1. Introduction

1.1 This policy outlines the appropriate use of WhatsApp by Councillors, staff, and volunteers when conducting council business. It ensures compliance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018, and promotes transparency, accountability, and data security.

2. Scope

2.1 This policy applies to any use of WhatsApp for Council-related communication by all Councilor's and staff of Ludgershall Town Council, including all volunteers or contractors acting on behalf of the Council.

3. Policy Statement

3.1 WhatsApp may be used for informal communication and coordination where no other secure or official channel is available.

3.2 However, it must **not** be used for:

- Sharing personal/sensitive data without explicit consent, or a legitimate lawful basis.
- Making formal decisions or conducting statutory council business.
- Communicating with children (noting Article 8 of the UK GDPR specifically prohibits use for communications with children under the age of 13 years).

4. Legal Compliance

4.1 All use of WhatsApp must comply with relevant legislation, including, but not limited to the following:

- **UK GDPR (2018):** Ensuring lawful, fair, and transparent processing of personal data.
- **Data Protection Act 2018:** Protecting individuals' rights and ensuring secure handling of data.
- **Freedom of Information Act 2000:** Ensuring records of council business are accessible where required (WhatsApp is not to be used for official Council business).
- **Local Government Act 1972:** Requiring formal decisions to be recorded.

5. Acceptable Use

5.1 The below table provides non-exhaustive examples of where WhatsApp may or must not be used:

WhatsApp may be used for	WhatsApp must <u>not</u> be used for
Arranging non statutory meetings	Arranging statutory or official meetings
Sharing public event information	Discussing confidential or sensitive matters
Emergency coordination	Making or recording decisions
Arranging to informally meet, such as at the container, or cemetery for cleaning.	Sharing personal data without a lawful basis

6. Data Protection and Security

6.1 Devices used for WhatsApp should be password-protected.

6.2 Chats involving Council business must be archived or logged where appropriate.

6.3 Personal data should not be shared via WhatsApp. Where there is a lawful basis to share the data, it must be minimized, pseudonymized or encrypted where possible.

6.4 If a device containing a WhatsApp application used for Council discussion is lost or stolen, the Council must be notified immediately.

7. Records Management

7.1 WhatsApp messages must not be used for activity that may constitute council records.

7.2 Messages should ideally be deleted once no longer needed.

8. Monitoring, Enforcement and Breaches

8.1 A delegated person, or investigation team may review WhatsApp use if a complaint or data breach occurs.

8.2 Where a complaint is raised regarding to communications processed over WhatsApp, a transcript of the messages must be provided to an investigator, or complaints manager. Additionally, the Council may temporarily prohibit the use of WhatsApp during any investigation.

8.4 Where a policy breach relates to personal data processing, a referral may need to be made to the Information Commissioner's Office (ICO) in accordance with data protection regulations.

8.5 Breaches of this policy will be investigated, and may lead to formal action under the Council's Disciplinary and Dismissal Procedure or Code of Conduct.

9. Best Practice Guidelines

9.1 The following provide best practice guidelines for the use of WhatsApp for communicating.

- **Use Groups Wisely:** Limit group membership to relevant individuals and avoid unnecessary duplication.
- **Avoid Sensitive Content:** Never share personal, financial, or health-related information.
- **Be Respectful and Professional:** Maintain a courteous tone and avoid informal language that could be misinterpreted.
- **Keep Records:** If, by exception, a message relates to council business, ensure it is recorded in official minutes or logs.
- **Use Alternatives When Appropriate:** Prefer email or council-managed platforms for formal communication.
- **Regularly Review Chats:** Delete outdated or irrelevant messages to reduce data risk.

10. Review

This policy will be reviewed every 4 years.

END

Annex A to WhatsApp Use Policy

Administration of the WhatsApp Use Policy

A1. Review Date

This policy will be reviewed every four years, or when there are any legislative changes that may affect this policy.

A2. Version Control

Version	Approved	Date	Endorsed	Date	Comments
V1	FTC	29 Jan 26	FTC	9 Feb 26	Initial Copy

END