Sedlescombe Parish Council

Data Protection Policy

Sedlescombe Parish Council (SPC) is committed to openness and transparency and to make relevant information available wherever possible to individuals who may request it, subject to safeguarding the privacy of individuals and to legitimate considerations of national security, law enforcement and commercial interests where relevant.

Data Protection is designed to protect personal data stored on computers or in an organised paper filing system. It governs the rights of individuals regarding their personal data and the way in which this data is controlled and processed by those with legitimate reasons for using the personal information. SPC acknowledges that there is a conflict with the Freedom of information Act 2000 and Environmental Information Regulations 2004 which seek to make information public.

25th May 2018 General Data Protection Regulation (GDPR), EU Legislation, came into force affecting the UK, supplemented by the UK Data Protection Act 2018 (DPA), repealing the 1998 DPA. On 1 January 2021, the GDPR ceased to have direct effect in the UK. The UK GDPR is established by the European Union Act 2018, which incorporated the body of EU law (including the GDPR) as it exists on Brexit day, into UK law.

The Data Protection Policy for Sedlescombe Parish Council (SPC) applies to all Council employees, Councillors, volunteers and contractors. SPC is registered with the ICO and identifies the clerk as the data 'processor'

The regulations are based on 6 core principles for processing personal data:
Lawfulness, Fairness & Transparency
Purpose – Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes
Data Minimisation – relevant and limited to what is necessary for the purpose
Accuracy – and where necessary kept up to date
Storage Limitation – Kept in a form which permits identification of data subjects for no longer than in necessary for the purposes for which the personal data are processed.
Integrity and Confidentiality – Processed to ensure appropriate security, protecting against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures

Information about the Parish Council:- You can access a significant amount of information about the Parish Council on our website www.sedlescombe.org.uk . If you need the information in an alternative format, please contact the Parish Council clerk via email or in writing at the address shown below.

Making a request for information:- Individuals or organisations may make a written request for other information which they believe the Parish Council holds. To request information under the provisions of the Freedom of Information Act 2000, and to help us to help you in

identifying the precise information you require please email clerk@sedlescombe.org.uk or write to the Clerk.

Please be sure to include your name and valid postal address, as required under the Act, and a clear description of the information you are seeking. When making a request you can state a preference of how you want the information communicated to you. This could be by providing a hard copy, or an electronic copy of the information, providing you an opportunity to inspect a record containing the information or providing a digest or summary of the information. We will try to meet your preference as far as is reasonably practical or notify you if we cannot do so.

Responding to your request:- We will inform you in writing whether we hold the information you have requested and if so, provide it to you not later than 20 working days after we receive the request.

The Freedom of Information Act does identify a number of categories of information which the Parish Council is not required to disclose under the Act. In this case, we will write to you stating the exemption which provides the basis for refusal within the Act and why it applies to the information you requested. We will communicate this to you within the 20 working daytime period.

Charges for providing information under the Freedom of Information Act:-

There is no 'flat rate' fee to receive information and in many cases we will provide the information to you free of charge. However, you should note that if the information you are seeking is not readily available in the form in which you are seeking it, the Parish Council may charge you a fee based on the costs associated with providing the information, for example photocopying and postage (known as 'disbursements'). [SEP]

The Freedom of Information Act does permit the Parish Council to refuse your request if we estimate that it will cost us in excess of the appropriate cost limit (currently £450) to fulfil your request.

Freedom of information Fees Notice:- If you need to pay a fee for disbursements or because the costs exceed the appropriate limit, we will write to you advising you of the fee required within 20 working days of receipt of your request. This is known as a 'Fees Notice'. When you are issued the Fees Notice, the 20 working day limit for responding stops, and then will start again when we receive payment. If we do not receive the fee from you within three months we are not obliged to comply with the request.

Complaints:- If you are dissatisfied with the way the Parish Council has responded to a request for information, please write to: The Clerk, The Red House, Lower Street, Ninfield, Battle, East Sussex, TN33 9ED.

The Information Commissioner's Office (ICO) is responsible for enforcing the operation of the Act, and you may raise issues with this office at any time. More information can be

found on the ICO website listed below, or by writing to the Information Commissioner's Office or completing the forms online.

Postal address:
The Information Commissioner's Office
Wycliffe House, Water Lane
Wilmslow, Cheshire
SK9 5AF

Website: www.ico.gov.uk

Telephone: 0303 123 1113