

ALDINGBOURNE PARISH COUNCIL

Clerk Mrs Joanne Brown ACIS
Red House, 100 Middleton Road
Middleton on Sea PO22 6DL
Tel 01243 582667

NOTICE OF MEETING AND AGENDA

Your attendance is requested at the Meeting of the Parish Council to be held in the Community Centre, Olivers Meadow commencing at 7.30 p.m. on Tuesday 5th June 2018

A G E N D A

1. Apologies for absence.
2. Co option – Mr Ron Flitter
3. Other items for discussion (not on Agenda but considered by the Chairman to be of an urgent nature)
4. Declarations under the Code of Conduct – *Members are reminded that they are required to make a declaration in relation to any item on this Agenda in which they may have an interest.*
5. Public Session – The public may address the Council on any matter relevant to the business of the Council.
6. Confirmation of Minutes (*Copies available at www.aldingbourne.arun.gov.uk*)
 - i) Planning Committee meeting held on – 8th May 2018
 - ii) Council Meeting held on – 1st May 2018
7. Reports from County and District Councillors.
8. GDPR 2018 – To approve attached policies
9. Arrangements for appointment of new Clerk April 2019 – to approve quote from SSALC and instruct Staffing and Governance Committee to begin the process.
10. ACSC Trustees meeting – To receive report and consider additional resource for support
11. *Update on legal advice, Mildmay, Hook Lane, Cala Homes site, current Planning issues including S106, appointment of Landscape specialist and additional legal advice *
12. Community Infrastructure Levy SDNP – to note and agree allocated project.
13. Flooding - Hallam land and Aldingbourne School – to consider attached reports
14. NDP review and consultation – to consider attached report and approval of £5k for additional survey
15. Community Land Trust Steering Group – update from May meeting
16. Reports and Recommendations from Working Parties:

- i) Footpaths Working Group
- ii) Newsletter Working Group- Approval of quote from Editor and items for September edition
- iii) Allotments Working Group – To consider project management for fencing and container
- iv) Village Signs Working Group – To consider project management brief for delivery
- v) ACSC Development Working Group – To approve quote fro development brief

.*Correspondence received for action or comment including items circulated for information only. *(Items of correspondence must be received by the Clerk for inclusion at least 1 week before the meeting).*

- a) Request for play equipment for under 5's

17. Finance – Approval of accounts for payment as listed below;

Payee	Detail	£
Barlow Robbins	Legal advice re Mildmay	3567.00
Dr Ashley Bowes	Counsels opinion – Mildmay	1920.00
Dr Ashley Bowes	Counsels opinion – Cala Homes site	3840.00
Mrs J Brown	Clerks salary	854.24
HMRC	Liabilities	884.00
TOTAL		

Mrs. J. Brown, Clerk, 30th May 2018

*The Council may by resolution vote to exclude the press and the public to consider legal advice regarding this matter

ALDINGBOURNE PARISH COUNCIL
CURRENT COMMITTEES, WORKING GROUPS AND REPRESENTATION ON OUTSIDE BODIES

COMMITTEES	
Planning	Cllrs Foott(Chair) Harbord, Blaylock Warden
Finance	Cllrs Harbord, 2 vacancies
Governance and Staffing	Foott 1 vacancy
Working Parties	
NDP, Local Plan	Cllrs Foott, Sturgess, Blaylock, co-opted L Beaton M Link
Communication	Cllr Ward, Harbord
ACSC/APC Development	Cllr Turner, Warden
Allotments	Cllrs Foott, Blaylock
Other Bodies	
BEWAG	Cllr Beaton
JDAC	Cllr Beaton
Lidsey Landfill	1 vacancy
SSALC	Cllrs Beaton, Turner
ACSC Trustee	Cllr Warden
CLT Steering Group	Cllr Warden, Beaton

PLEASE NOTE CHAIR AND VICE CHAIR ARE EX OFFICIO MEMBERS OF ALL COMMITTEES AND WORKING GROUPS

Statement of observations/Considerations

Aldingbourne Primary School, Westergate Street, Westergate

Flooding & waterlogging of playing field

An inspection has been carried out of the playing field, the development site visited and a discussion held with the site manager.

It is understood that the school playing field has suffered excessive waterlogging and flooding since construction began on the adjoining Barratt's development. The flooding is more prominent in the NE corner of the playing field (i.e. the lowest spot), as you would anticipate.

The surface water drainage scheme on the development site will take the form of attenuation tanks and ponds (to provide storage to accommodate the 1 in 100 year storm event + climate change allowance) with a pumped discharge to the ditch on the western boundary of the school playing field. Flows to the ditch will be restricted to an agreed rate. This ditch will then flow into culvert (piped ditch) just beyond the northern boundary of the school and into the drainage system in Westergate Street.

The development site previously had two main land drainage outfalls, one being the culvert discussed in item 2 and the other to a culvert/ditch system in SE corner of the site. Unfortunately, the SE corner system had been neglected by landowners i.e. filled in, etc., and after substantial investigations was found to be unusable and too difficult to reinstate. Hence the outfall to the culvert on the schools northern boundary was the only viable option.

We challenged the principles of the onsite surface water drainage design, as it was not considered to be a sustainable design. As an agreement could not be reached between ourselves and the developers engineer, a peer review was undertaken and an independent engineer saw in favour of the developer. As a result, we have to work with the design principles detailed in point 3, but set out to achieve as much betterment as possible. It should be noted that infiltration to ground was discounted due to the water table/poor ground.

To date, very little of the proposed surface water system has been constructed. The developer has been controlling surface water on site by installing a temporary pump and storing water in the system constructed so far. The pump discharges to the ditch on the schools SW boundary.

The culvert just beyond the schools northern boundary had been found to be in a poor state due to neglect by landowners. This pipe has been fully refurbished, by the developer and signed off by ourselves. This pipe appears to receive connections from two assumed land drains serving the playing field (but not the NE corner i.e. the low spot).

The waterlogged/flooded playing field could be due to a number of reasons;

Rainfall but this has not been exceptional, and therefore unlikely to be a significant factor, especially as the playing field has previously drained well under similar rainfall conditions.

Where the northern boundary culvert has been refurbished, the pipe no longer leaks and therefore any potential for the playing field to drain into it via defective joints etc. has been eliminated. The two existing connections from the playing field were retained.

The development sites temporary over pumping arrangements to the ditch which has yet to be cleaned out/regraded. The ditch therefore does not currently convey flow efficiently to the culvert to the northern boundary of the school.

The fact that little of the surface water drainage scheme has yet been installed on site.

Recommendations;

The temporary over pumping arrangements are soon to be changed in that the discharge will be relocated nearer to where the ditch meets the northern boundary culvert, bypassing the section of ditch which is yet to be regraded. This should improve ground conditions on the schools western boundary.

The western boundary ditch is to be cleaned out/regraded as soon as the overhead power cables are removed to allow safe working. Again this will improve drainage on this boundary.

Once the surface water drainage system on the site has been fully installed this should also improve matters.

I would suggest that the situation is re-accessed next winter when items 1 and 2 above should be resolved and item 3 should be significantly advanced.

Depending on the next winter observations, it may still be necessary to install an additional land drain in the NE corner of the schools playing field. This would need to connect to the northern boundary culvert. The connection details will need to be agreed with ourselves and the landowner.

Prepared by Paul Cann & Laura Gibbons, Arun District Council

Dear Sir/Madam,

Re: Community Infrastructure Levy (CIL): payment of 'Neighbourhood Portion'

I am writing to inform you that your parish will be receiving £532.50 from the Community Infrastructure Levy funds collected within the South Downs National Park Authority. In accordance with the Community Infrastructure Levy Regulations 2010 (As Amended), your parish is entitled to 15% or 25% (depending on whether there is a Neighbourhood plan in place) of the CIL funds collected from commenced CIL liable developments within your parish.

The money due will be paid by BACS transfer to the Parish Bank Account from details submitted to the SDNPA earlier in the year. If you think that the information provided may be incorrect, please inform the SDNPA immediately.

Attached above is further guidance for parishes including a brief summary of what CIL is, how it is collected and how it can be spent. You can find more information about CIL at <https://www.gov.uk/guidance/community-infrastructure-levy>.

Please note that for future payments of the CIL neighbourhood portion, the SDNPA will only contact councils with funds due to them.

If you have any queries, please do not hesitate to contact us at cil@southdowns.gov.uk or phone 01730 814810.

Report to Aldingbourne Parish Council on
ACSC Meeting 14th May 2018.

The meeting commenced at 7.30 pm. And finished at 8.45 pm.

The Chairman, Johnathon Leahy sent apologies. There were 10 members present including myself.

The format of the meeting revolved around matters arising from the previous meeting minutes. Each one was taken in turn and comments made from members and further discussion also took place on each item.

This included Car Park Lining, Carpets, Drones on the field, Hall Lettings, leaking radiators and the high water bill, which was discussed at the Councils previous meeting, Roof repairs all of which were being undertaken by members. BRMRC stated that they would be having bases laid on Friday 17th May 2018 then the huts to be erected shortly.

It was highlighted that there was a substantial debt by one of the Hirers of the Hall and the Secretary agreed to pursue the matter.

Reports were given by the Chairman and the Treasurer, which I requested were attached to the minutes when issued. The financial position is good at this time.

The Treasurer will send out Balance sheet and financial information prior to the next meeting for comments/queries.

Originator: Cllr. Michael Warden.

Date: 23rd May 2018.

Report on Flooding at Aldingbourne School.

Those Present: Michael Warden. APC.

Paul Cann. ADC Senior Drainage Engineer.

Laura Gibbons. ADC Drainage Engineer.

Liz Webster. Head Teacher ALD. School

Laurie Ward. Landscape Gardener.

Following several communications to the Parish Council about suspected increased flooding to the School playing field, the Council appointed myself at it's meeting in May to convene a meeting between the interested parties who are listed above. A meeting was duly arranged for Friday 11th May at 9.00am. Prior to the meeting I sent a document to all, which was to be the basis of the meeting and included the format of information as discussed and agreed by the P.C. Copy attached.

The meeting took place as agreed and before commencing I established that as the P.C. arranged it that I would take the lead and follow the proposed Agenda as sent to all parties. It was agreed.

Item 1: To establish to what extent the school playing field flooded, prior to the commencement of the adjacent construction site. It was generally agreed by all but myself, not knowing the history of the site, that flooding was not a major issue, other than an event in 2013/2014 after which measures were taken to alleviate the situation as described in Mr Laurie Ward's Statement which is attached, although there was standing water in the adjacent field at times, which was used for grazing.

However, ADC Drainage Engineer has not included in his report any reference to flooding in previous years. Copy of report attached.

Item 2: To establish how the playing field was drained previously and was it effective to maintain usage of the field. It appears from the discussions and the information in both the attached reports that there was no specific drainage to the School playing field other than natural seepage and whatever measures were undertaken in 2013/2014 that has not been described.

Item 3: What increase in flooding has occurred since construction began. You will also see from the report compiled by Paul Cann SDE/ADC, that there seems to have been excessive flooding to the playing fields since construction began but goes short of saying that it is a direct fault, which becomes clearer further into his report. Para's 3, 4, and 5 of Laurie Ward's report describes an increase in flooding that has occurred since construction commenced on the adjacent site. and in his opinion, as portrayed in the last paragraph of his report is that the increased flooding is attributable to the adjacent development.

Item 4. Why has flooding increased to the playing field: Mr. Laurie Ward's opinion, as portrayed in the last paragraph of his report is that the increased flooding is attributable to the adjacent development. Paul Cann ADC DE has stated in Item 8, a, b, c and d that waterlogging/flooding could be attributable to several reasons as stated therein. Which are, briefly, rainfall, culvert pipes being inadequate and only helping to drain the field by leaking joints taking in the water, pipe sizes, over pumping from the site and very little of the new site drainage being installed.

You will also see from the ADC DE that in para. 5 that they challenged the principles of the drainage scheme as not sustainable, agreement could not be reached, and a peer review took place and an independent engineer found in favour of the developer, which ADC then had to work with as detailed in point 3.

During the meeting I referred to para's 99 and 100 which make reference to avoiding increasing flood risk elsewhere and felt that it should have applied during as well as after completion, which was not implemented properly and has possibly had an impact on the school field.

It is not, in MY OPINION, conclusively proven that the adjacent construction site is wholly complicate in causing the increased flooding to the field.

In conclusion, as there has/is further work being carried out on the drainage scheme, some of which will probably be completed by the time this report is included in Full Council, I would propose that we adopt the recommendations as set out at the end of Paul Cann's report and reserve our position as to who we might consider is responsible for any works that may have to be undertaken following a re-assessment after the winter of 2018/2019.

Originator: Cllr Michael Warden.

Date: 22nd May 2018.

Neighbourhood Plan - Proposal June 2018

I think that we need to start preparing the ground to redraft the plan. We need a clear resolution that we will redraft the plan and that we will establish an initial budget of £5,000. There should also be other cash from elsewhere (Arun/DCLG) to help fund the full cost. I think that;

- We need to establish housing numbers from Arun required for the parish, if any given the size of the strategic allocation. This work is also required for the CLT - How many houses for local people are required?
- We will need to commission a future housing needs study
- We will need to reconvene a Neighbourhood Plan group look specifically at housing allocation / sites. I am not proposing that we revisit other policies, except perhaps minor tweaking, so this should not be nearly so time-demanding on volunteers as the first NDP.
- We should establish the outline cost, and approach our Planning consultants re drafting the housing section of the document and taking us through the required publication stages etc.

M Beaton May 2018

Meeting at Aldingbourne School

Friday 11th May 2018. 9.00 am.

The meeting has been convened following correspondence from the Head Teacher of the school and Mr. Laurie Ward, Landscape Contractor who carries out work on the school grounds.

The Parish Council were advised of the situation whereby it appears that there has been increased flooding to the school grounds in recent months. At the Council's meeting in May, it was agreed that Councillor Michael Warden would contact the ADC Senior Drainage Engineer, Mr Paul Cann and arrange to meet at the site to assess the situation. A meeting date and time (as shown above), has been set up to carry out an on-site survey of the problem.

The Aldingbourne Parish Council agreed that the following format would be the basis of a discussion to ascertain all the relevant facts, report back to Council at the June meeting at which time an informed and properly constructed decision would be made as to the way forward.

The facts required, would be: To what extent the school fields were affected by rainwater ingress to the school site, prior to any adjacent construction works.

How the surface water was dispersed or drained from the school grounds and was it effective to maintain the use of the grounds.

What increase in flooding of the School Grounds has occurred since the adjacent construction works has commenced.

Why has the surface water flooding increased to the School?

What drainage measures are in place and agreed by ADC Senior DE, for the adjacent site, are they being implemented and are they sufficient measures to ensure that surface water is taken away from the site and will not increase flooding to the school. Refer to NPPF para. 99 and 100, para 101 the aim of a Sequential Test, para 102 if a Sequential Test is not possible, the Exception Test can be applied if appropriate and both sub-para's having to be adhered to for development to proceed and finally para. 103.

Once the facts of the above items are determined, it will hopefully highlight what contributory factors have taken place to exacerbate the flooding of the school grounds and what problems it may have caused on the adjacent construction site.

The next step would be to ascertain whose responsibility it is to rectify the problem and for the necessary actions to be taken before the situation becomes any worse.

Councillor Warden will compose a report that will be discussed at the APC meeting at the beginning of June

Originator: Cllr Michael Warden. Date: 10th May 2018.

For the attention of the Parish Clerk:

Dear Joanne,

Following the meeting of Friday 12th at the primary school please find below my statement as requested by Councillor Warden in my capacity as grounds contractor to the school and in my previous role as volunteer to the flood working group.

The waterlogging over the last couple of months has rendered the west area of the school playing fields and north east corner impractical for school activities.

The perimeter play chip walkway was completely waterlogged and from the west boundary of the school across the playing fields was saturated, rendering this entire area as impractical for school activities

The north-east corner of the playing fields was underwater to a height of 10 inches preventing pupils from entering this area.

My children started school at Aldingbourne primary school in 2005 and from that date until now I have not seen the fields in such a waterlogged condition.

During my time with Aldingbourne parish council and heading the flood working group, we did not have to deal with any flood/waterlogging problems at the primary school.

In 2013/2014 after very heavy and sustained rainfall emergency measures were undertaken to alleviate the threat of flooding in the parish. The Barrett homes development site which was then used for grazing horses had extensive levels of standing water in the fields. At the same time flood waters flowed from the north into Footpath 299 adjacent to Lamorna Gardens then into Meadow Way.... Even during this period the school playing fields were not waterlogged as they have recently been.

In conclusion it is evidently clear that the development of the Barrett Homes site formally grazing fields is directly the cause of the waterlogging and flooding of the Aldingbourne primary school playing fields.

Kind regards

Laurie Ward

Statement ends ...

Data Subject Access and the Data Protection Act 2018

Aldingbourne Parish Council takes your data privacy seriously.

If you wish to find out what information Aldingbourne Parish Council holds about you please contact us providing your contact details, a brief description of the information you require and enclose proof of your identity. This could be a scanned copy of a household bill, passport or driving licence.

You will receive a response to your request within 20 days.

Please send your request to one of the following:

email address: aldingbourneparishcouncil@gmail.com

postal address: The Clerk, 100 Middleton Rd Middleton on Sea PO22 6DL



SUSSEX & SURREY ASSOCIATIONS OF LOCAL COUNCILS LIMITED **AFFILIATED TO THE NATIONAL ASSOCIATION OF LOCAL COUNCILS**

East Sussex ALC Ltd. President - Lord Amphill

West Sussex ALC Ltd. President - Cllr Michael Chater OBE

Surrey ALC Ltd. President – Michael More-Molyneux, H.M Lord-Lieutenant

CEO - Trevor Leggo

Assistant CEO - Anne Bott

Proposal to Aldingbourne Parish Council to assist with the recruitment of a new Clerk & RFO

SSALC will work with the Council to agree the format of an advertisement, job description, person specification and the contents of an information pack to be uploaded to the SSALC website for applicants to download. SSALC warrants that the application form used will comply with requirements of current employment law.

The Council will identify the media in which it wishes to advertise and commission the advertisement, this way it can claim back the VAT.

SSALC will advise all clerks in Sussex & Surrey of the opportunity through its website. The CEO of SSALC will be happy to meet with councillors to discuss the needs of the Council and give an indication of the likely level of interest based on the experience of recruiting similar posts.

The CEO can be identified in the advert as available to answer any questions that prospective applicants may have about the job if the Council so wishes.

Application packs will be downloaded by applicants from the SSALC website. Completed applications will be returned to the SSALC office where they will be collated and handed over to the Chairman of the Council after the closing date with a schedule of applicants showing relevant experience & SSALC's recommendations.

A SSALC Officer can be available to attend interviews to advise the Council on conditions of employment. Emails inviting candidates for interview can be sent out by SSALC. Suggested questions for councillors to ask candidates in the interviews will be prepared by SSALC for approval by the Council.

References can be taken up by SSALC and replies passed to the Council. SSALC will prepare a Contract of Employment in accordance with the Council's instructions.

This package includes a place for your new employee to attend one of our clerks' induction sessions. This session is excellent for new clerks covering all the basics including agenda setting, minute taking, finance, budget and much more.

Likely cost

SSALC will undertake the above for a fee of £600. This includes a reduced fee for your new clerk to attend a new clerks' induction session as described above.

Trevor Leggo
Chief Executive
Sussex & Surrey Associations of Local Councils

30th April 2018

If you agree to the terms set out in this proposal, please sign & date one copy & return to SSALC

Suite C, Sackville House, Brooks Close, Lewes, East Sussex, BN7 2FZ (Registered Office)

Tel: (01273) 830203

Company No. 8512101 Registered in England

Email – lcrecruit@ssalc.co.uk

Website - www.sussexalc.org.uk / www.surreyalc.org.uk

Privacy Notice

Aldingbourne Parish Council takes the protection of your data seriously. Our aim is to provide a personalised and valuable service whilst safeguarding our users' privacy. Collecting some personal information is necessary if we are to satisfy the expectations and requirements of our users and we have set out below what we will do with your personal information.

Visitors to this web site

When someone visits this website we use a third party service to collect standard internet log information and details of visitor behaviour patterns. We do this to find out things such as the number of visitors to the various parts of the site. This information is only processed in a way which does not identify anyone. If we do want to collect personally identifiable information through our website, we will be up front about this. We will make it clear when we collect personal information and will explain what we intend to do with it.

Security and Performance

We use a third party service to help maintain the security and performance of our website. To deliver this service it processes the IP addresses of visitors to the site.

Links to other websites

This privacy notice does not cover the links within this site linking to other websites. We encourage you to read the privacy statements on the other websites you visit.

Use of Cookies

This site uses cookies to maintain and keep track of users' preferences and authenticated sessions, to identify technical issues, user trends and effectiveness of campaigns, and to monitor and improve the overall performance.

Disclosure of personal information

We collect contact details via the web site for the purposes of providing a service to existing and potential customers. We will never disclose personal details without the consent of the owner. Details are only held for as long as is necessary to fulfil the service request.

Access to personal information

Individuals can find out if we hold any personal information by making a 'subject access request' under the General Data Protection Regulations. If we do hold information about you we will:

- give you a description of it;
- tell you why we are holding it;
- tell you who it could be disclosed to; and
- let you have a copy of the information in an intelligible form.

Please make any such request in writing via our email address or by post to The Clerk Aldingbourne Parish Council 100 Middleton road, Middleton on Sea PO22 6DL

If at any time you feel that we have failed to meet these standards then please either contact us or make a complaint direct to the Information Commissioner using their website www.ico.org.uk/concerns

ALDINGBOURNE PARISH COUNCIL DATA PROTECTION POLICY

Context

Aldingbourne Parish Council is required to process relevant personal data regarding members of staff, Councillors, allotment holders, subscribers to its email services and other members of the public.

From 25 May 2018, the General Data Protection Regulations (GDPR) comes into force, building upon existing data protection legislation. The GDPR will apply regardless of the UK's exit from the European Union.

This policy sets out the Council's commitment to protecting personal data. For clarity, personal data means any data or information, in paper or digital format, relating to a living individual.

Data Protection Principles

Aldingbourne Parish Council complies with the General Data Protection principles and ensures that personal data is:

- Processed fairly and lawfully and in a transparent manner;
- Obtained for one or more specified, explicit and lawful purposes;
- Adequate, relevant and only limited to what is required;
- Accurate and where necessary kept up to date;
- Not kept in a form which permits identification of data subjects for longer than is necessary;
- Processed in accordance with the rights of data subjects; and
- Processed in a manner that ensures appropriate security of the personal data.

Anyone who processes data on behalf of the Council, including staff, Councillors, volunteers, contractors or others who process or use any personal information must ensure that they follow these principles at all times.

General requirements

Significant requirements under the DPA and GDPR are:

- Personal data should only be accessed by those who need to for work purposes
- Personal data should not be divulged or discussed except when performing normal work duties
- Personal data must be kept safe and secure at all times, including at the office, public areas, home or in transit
- Personal data should be regularly reviewed and updated
- Queries about data protection, internal and external must be dealt with promptly.

Sensitive personal information

There are more stringent measures in place to protect sensitive personal data. Sensitive personal data means personal data consisting of information as to

- the racial or ethnic origin of the data subject,
- political opinions, religious beliefs or other beliefs of a similar nature,
- membership of a trade union,
- physical or mental health or condition,
- sexual life
- the commission or alleged commission of any offence, or any proceedings for any offence committed or alleged to have been committed by the data subject, the disposal of such proceedings or the sentence of any court in such proceedings.

Data of this nature is subject to additional protection because the presumption is that information about these matters could be used in a discriminatory way and is likely to be of a private nature.

The majority of the Council's work should be carried out without the need to collect sensitive personal information. In the event that such information is required to perform a legitimate business function, the collection should be limited to only what is necessary and processed only for that function and be stored securely.

Information Sharing

Personal data may need to be shared with other organisations in order to deliver services or to perform duties of the Council. This can only be done where the Council has permission or there is a legal obligation to share such data.

The Council has powers described set out in [Small Holding & Allotments Act 1908, s.23] to licence allotments to individuals. It is a condition of the licence that the licensee's details are passed on to [Chichester District Council].

Emails and other correspondence received by the Council and not specifically addressed to the Clerk (e.g. to info@ or councillors@) may be shared with Councillors. Other emails or correspondence received by the Clerk may be shared with Councillors provided that all personal data is redacted from such email or correspondence save if the sender has first given approval for sharing without redaction. For all other business functions, there should be an information-sharing agreement in place which sets out the reasons for the collection and processing of the data.

Personal data can be shared within the Council or with other third parties where there is an established purpose.

One of the key changes within the GDPR is data protection by default and design. Data Sharing Agreements should be completed when setting up 'on-going' or 'routine' information sharing arrangements with third parties.

However, they are not needed when information is shared on a "one-off" basis in "exceptional circumstances" (i.e. in conditions of real urgency). In these cases, a record of the decision and the reasons for sharing information should be kept.

All Data Sharing Agreements must be signed off by the Chairman or Vice-Chairman and Data Protection Officer who will keep a register of all Data Sharing Agreements.

Privacy Impact Assessments (PIAs)

PIAs will be completed in these situations to help identify and minimise risks to individuals and must be completed in the following situations that involve personal data:

- At the beginning of a new project or when implementing a new system
- Before entering a data sharing agreement
- When major changes are introduced into a system or process

Subject Access Requests (SARs)

The Council recognises that access to personal data held about an individual is a fundamental right provided in the GDPR and will ensure that all requests from individuals to access their personal data are dealt with as quickly as possible and within the timescales allowed in the legislation.

Individuals will be expected to submit SARs in writing and provide any necessary proof of identification as part of the request. No charge can be made to provide this data.

Of prime importance is that information is not given out recklessly. Anybody requiring data should be requested to write to the Clerk detailing their request. The Council can offer to forward any correspondence, or information, should its records show that it has the necessary data.

Complaints

Anyone who feels that the Council has broken the law in any way can complain. Examples of this are when they think their information has not been obtained fairly, it has not been handled securely or they have asked for a copy of their information and they are not happy with the Council's response.

Individuals who consider that data is inaccurate or out of date may also request, in writing, that the information be corrected or erased. They will receive a written response indicating whether or not the Council agrees and if so, the action to be taken.

Individuals can also ask the Council to stop handling their personal information if they think this will cause them harm or distress. This is not always possible but in such circumstances the request will be reviewed on a case by case basis.

Data Protection Act complaints will be dealt with by the Chairman or Vice-Chairman and a Councillor.

Non Compliance

One of the major changes implemented through the GDPR is the level of fine which can be levied on an organisation in cases of non compliance or data breaches. The administrative fines are discretionary rather than mandatory; they must be imposed on a case-by-case basis and must be "effective, proportionate and dissuasive". In the most serious of cases the fine can be up to €20,000,000 or 4% of annual turnover, whichever is the greater.

Serious breaches of this policy caused by deliberate, negligent or reckless behaviour could result in disciplinary action and may even lead to criminal prosecution.

Where those breaching the policy are not Council employees, this will be regarded as a breach of contract and may lead to termination of their contract.

Role of the Data Protection Officer

The Council has designated Ms J Brown (Clerk) to act as Data Protection Officer. Any query relating to the implementation within the Council, of the Data Protection Act and Subject Access Requests under section 7 of the Act should be referred to the Chairman.

The Data Protection Officer will be responsible for ensuring that the Council's entry on to the ICO register is kept up to date and all fees to the ICO are paid in time.

May 2018

