

Raglan Community Council

Council Minutes and Data Protection Issues

Adopted in May 2017

Council Minutes and Data Protection Issues, the names and addresses of individuals in minutes, the data protection provisions are engaged if the council publishes something which reveals personal information about a living individual.

The personal information could be the home address of the individual. So, in most cases and as best practice, it is safest for a minute to speak of correspondence with a resident of, say, *Acacia Avenue*.

If a name is relevant in the context of the debate, it is probably acceptable to refer to "Mr Brown of Acacia Avenue", strictly it does not identify his home address. Business correspondence is different, but again it is probably safest (and sufficient for the record anyway) to refer to a letter being received from the Managing Director (i.e. give the post-title) of the particular company.

If it is really necessary and relevant to mention the name of the individual, it is probably acceptable, on the basis that what is revealed is a business relationship and not personal information. If the data protection provisions are engaged, the processing of the information must be lawful.

Where, a principal authority receives representations on a planning application, it has to make those letters available to the public as background papers. Most will be letters of objection. The lawful processing requirement is satisfied because a statutory right of inspection applies and because the authority will have stated in its literature that letters of representation may be seen by others.

Proposed by:

Seconded by

Signed by Chairman