

## **Privacy Notice for Planning Policy**

### **Why we are collecting your data?**

Rother District Council is a data controller for the purposes of the Data Protection Act 2018 and the General Data Protection Regulation 2016. We collect, hold and use your personal data in order to fulfill our statutory obligations to help us deliver sustainable development and prepare planning policy documents.

This work includes, but is not limited to:

- Producing planning policy documents and the evidence base which supports these documents;
- Processing representations against planning policy documents;
- Working with 'relevant bodies' on production of Neighbourhood Plans; and
- Working with neighbouring local authorities on strategic policies.

### **What is the legal basis for processing your personal data?**

We collect and use your personal data as a task carried out in the public interest in line with current planning and local government legislation and guidance which includes but is not limited to:

- Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended);
- The Neighbourhood Planning (General) Regulations 2012 (as amended);
- Brownfield Register Regulations 2017;
- Self-Build and Custom Housebuilding Act 2015;
- Community Infrastructure Levy 2010;
- National Planning Policy Framework 2012;
- National Planning Policy Guidance 2016; and
- Localism Act 2011.

### **Who will your information be shared with?**

To ensure our record keeping is efficient and to be able to provide services promptly across Rother we will hold your personal information on our own database, which may be held on our systems or held by our consultation portal provider, JDi Solutions Ltd, on our behalf. We may share your personal data internally for our own data matching exercise, using names and addresses. This helps us to ensure the personal data we hold across the Council is accurate and up to date and to identify customers by a single customer record.

We may also use and check your personal data for the investigation and prevention of fraud, anti-social behaviour and criminal activity. This may

include sharing your information with police services, governmental organisations (e.g., Department for Work and Pensions and HM Revenue and Customs) and other local authorities. We also take part in the National Fraud Initiative's anti-fraud data matching exercise for these purposes.

### **How we collect your information**

We receive comments, representations and questions via email, letter, and through our online consultation portal provided by JDi Solutions Ltd.

### **How we will use your information**

During the production of planning policy documents we are obliged, by law, to consult on these documents at several stages. In order to submit a valid representation against these documents representors and agents must provide us with some personal data (eg name, address, contact details).

We will make details of representations available online and at the council offices as part of the public register. We will sometimes need to share the information we have with other departments of the Council.

We may also contact representors and agents to notify them of subsequent consultations that are part of the same planning policy process.

All interested parties are also able to "opt in" to subscribe to receive newsletters from the Council's Planning Policy Team and can also request to be added to the Planning Policy Consultee Database to be notified of forthcoming planning policy consultations. If you subscribe to this newsletter or request to be added to the database, your personal data will be stored securely in accordance with applicable Data Protection legislation. You may unsubscribe from this service at any time.

We will seek to contact interested parties every two years to update the "opt-in" preferences.

Your information may be anonymised into statistical or aggregated data in such a way as to ensure that you are not identified or identified from it. This information might be used to conduct research and analysis, including to prepare statistical research and reports.

### **Redaction ('blinking things out')**

We operate a policy where we routinely redact the following details before making forms and documents available online:

- Personal contact details for the respondent and agent - e.g. telephone numbers and email addresses;

- Signatures;
- Special Category Data - e.g. supporting statements that include information about health conditions or ethnic origin; and
- Information agreed to be confidential

Sometimes we might decide it is necessary, justified and lawful to disclose data that appears in the list above. In these circumstances we will let you know of our intention before we publish anything.

If you are submitting supporting information which you would like to be treated confidentially or wish to be specifically withheld from the public register, please let us know as soon as you can so we may consider your request - ideally in advance of submitting the representation. The best way to contact us about this issue is at [planning.strategy@rother.gov.uk](mailto:planning.strategy@rother.gov.uk) .

### **We will not**

- Use your personal data for marketing purposes without your prior explicit consent.
- Store or send your personal data to a country outside the European Economic Area (EEA).
- Make decisions about you based on automated processing of your personal data.
- Sell your information to other organisations

### **How long will we hold your data for?**

We process many different types of information according to our retention policy. In most cases, personal information relating to consultations and land submissions will be held for a period of 15 years.

### **Your rights**

The General Data Protection Regulation gives you a number of rights in relation to your personal data:

- Right to access a copy of your personal data.
- Right to have your personal data corrected.
- Right to have your personal data deleted (“right to be forgotten”).
- Right to restrict how we use your personal data.
- Right to ask us to transfer your personal data to another service provider.

You can get more information about these rights in the Council’s Privacy Policy.

If you wish to exercise any of these rights please contact our Information Governance team on [informationgovernance@rother.gov.uk](mailto:informationgovernance@rother.gov.uk) in writing or by completing our online form.

If you are dissatisfied with how we have used your personal data you have a right to complain to the Information Commissioner's Office at [casework@ico.org.uk](mailto:casework@ico.org.uk).

**Identity of Data Protection Officer**

If you have any questions or concerns about how your personal data is handled, you can contact our Data Protection Officer (DPO), Graham McCallum, at [dataprotection@rother.gov.uk](mailto:dataprotection@rother.gov.uk).