

Agenda item 10

For decision – Re-approval of chapters in the constitution:

13. Access to information policy
14. Information policy
15. Publication Scheme
16. Information retention and disposal policy
17. Data Protection Policy
18. General Data Protection Regulation Privacy Information

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I have reviewed and also used the assistance of Co Pilot to confirm compliance with up to date legislation. A few amendments are suggested which are detailed below for each chapter. All changes have been documented via track changes in each appendix.

13. Access to information policy – [Appendix 10.1, which can be viewed on the website here](#)
 - Mentions of the Disability Discrimination Act have been updated to current legislation, the Equality Act 2010
 - In 2.1 wording around access to interpreters has been softened but also made clearer
 - This is also the case for 5.2 in relation to translation
14. Information policy – [Appendix 10.2, which can be viewed on the website here](#)
 - On pg. 2 charges in relation to freedom of information requests are clearer
 - On pg. 3, although we are not holders of the environmental information listed there may be instances for some projects we might hold such information. The updated sentence reflects this.
 - On pg. 4 wording on electronic communications is updated
 - The website address for the ICO has been corrected
15. Publication Scheme – [Appendix 10.3, which can be viewed on the website here](#)
 - On page 2. made clearer its based on a model policy
 - On pg. 3 wording around archived information made clearer
 - On pg. 4 charges wording is clearer
 - Updated that Cllr allowances information is available on the website, removed reference to Council Matters and added in list of disposals in lists and registers.
16. Information retention and disposal policy – [Appendix 10.4, which can be viewed on the website here](#)
 - Throughout reference to General Data Protection Regulation has been updated to UK General Data Protection Regulation (UK GDPR) and Data Protection Act 2018
 - In 1.3 made explicit what electronic records are
 - In 4.6 wording regarding litigation updated

- In 5.3 consequences of failure to dispose of records made clearer, same with deleting computer records
 - 9.2 is an additional note about retention periods
 - Minimum retention periods have been updated for bank statements, correspondence relating to staff, breach of trust, planning applications and photograph/digital prints.
17. Data Protection Policy – [Appendix 10.5, which can be viewed on the website here](#)
- Throughout reference to General Data Protection Regulation has been updated to UK General Data Protection Regulation (UK GDPR) and Data Protection Act 2018
 - On pg. 3 more information on individual rights
 - On pg. 4 more information on breaches
 - On pg. 5 reporting window for data breaches made clearer
18. General Data Protection Regulation Privacy Information – [Appendix 10.6, which can be viewed on the website here](#)
- Suggest to rename the policy to Privacy Notice (UK GDPR)
 - Throughout reference to General Data Protection Regulation has been updated to UK General Data Protection Regulation (UK GDPR) and Data Protection Act 2018
 - Where explicit consent is mentioned this has been expanded to refer to article 9
 - On pg. 5 an explanation of what CCTV is for has been added
 - Section 3 has been updated from European Economic Area to outside the UK and EEA
 - On pg. 5 Privacy Shield no longer exists, new wording reflects this
 - On pg. 5 mention of retention periods are simplified and directed to relevant policy

Other options considered	N/A
Key considerations for the Council	To ensure that FTC has up to date information policies that are compliant with current legislation and law
Consultation and feedback	N/A
Links to Council Plan and Medium-Term Financial Plan	Aim 5 of the Council Plan
Financial and Risk Implications	There is risk in not having up to date policies. They are key to ensure we enable accessibility and to make sure FTC is compliant.
Legal / HR Implications	If we were not operating within these policies we could be challenged/investigated by the Information Commissioners Officer (ICO)
Equalities Implications	These policies ensure equalities are considered as they enable accessibility, access to information and fair handling of data.
Community Safety Implications	N/A
Climate Change and Sustainability Implications	N/A
Health and Safety Implications	N/A
Constitutional Requirements	All chapters are part of FTCs constitution
Background Papers	None

Report Sign-Off	Peter Wheelhouse, Town Clerk,
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Recommendations

1. Approve renaming chapter 18 to Privacy Notice (UK GDPR)
2. Approve the suggested amendments to the following policies:
 13. Access to information policy
 14. Information policy
 15. Publication Scheme
 16. Information retention and disposal policy
 17. Data Protection Policy
 18. Privacy Notice (UK GDPR)
3. Readopt the updated policies