

Report on HALC meeting held on 25 June 2019: Key points of interest

Attended by Councillors Jill Chaytor and Owen Hydes

1. Code of Conduct. Proposal for National Code of Conduct to be adopted by all PCs. Most complaints against Code of Conduct handled by HDC's Standards Committee are vexatious and only a handful are serious enough to warrant a warning. Note: Councillors cannot be removed from office – they have to resign.

2. Planning. HALC is to take up with HDC, as a result of my request, the failure of HDC to monitor planning permissions to make sure they comply with the approvals and associated conditions and the failure to take effective enforcement when there is a breach.

3. GDPR. Very useful presentation by the Chair of East Hampshire PC on the GDPR Regulations. Key points:

- The PC and all individual Councillors must be registered with the Information Commissioners Office. As a result of a change to the Regulations, there is now NO CHARGE for registration.
- Organisations and individuals can request from the PC all the data held on them and it must be provided within 30 days. Failure to comply could result in prosecution and a fine. In supplying the data, the PC must redact any data relating to a third party. Some requests could take an unreasonable amount of the clerk's time to locate the data and carry out the necessary checks to redact third party data. Advice is that the PC needs to make "reasonable endeavours" to provide the data – that could be providing what you can by spending a reasonable amount of time on the task (say one day) – alternatively asking the requester to narrow it down to a more specific part of the data.
- There is a group of lawyers who are offering a "no win, no fee" (they originally started with road accident compensation claims) service to organisations and individuals who consider that the PC has failed to provide the data required by GDPR. The example quoted was an individual who requested all the data held by the PC on him/her – the PC provided data but the individual knew that the PC held more data that had not been provided – therefore the PC breached GDPR.
- All e-mails about PC business must use the PC web mail system and not Councillors' personal e-mail systems.

4. Social media. Individual councillors were strongly advised not to use social media, such as Facebook and certainly not for anything connected with Parish Council business. If an individual comments on an issue and he/she is known to be a councillor those comments could be interpreted as the view of the Parish Council. It was suggested that Councillors only use social media for purely personal things, such as a lost dog or to offer for sale a personal item.

Owen Hydes

28 June 2019