

1. Introduction

This Privacy Notice for the council's Development Management Service explains the types of personal information we may collect about you when you interact with us. It also explains how we will store and handle that information, as well as keep it safe and secure.

We will keep our privacy notice under regular review and will advise you of any updates on our website.

This Notice was last reviewed in August 2018.

2. Who we are

For the purposes of Data Protection legislation, South Tyneside Council is the Data Controller.

Development Management is responsible for the administration and management of a range of planning-related applications, pre-applications and dealing with alleged breaches of planning control made to the Authority.

The service is also required to participate in the planning appeals process (which is undertaken independently by the Planning Inspectorate) and other planning related casework such as responding to consultations by other authorities, government departments, other executive agencies of the government or applications for a Development Consent Order (for a nationally significant infrastructure project).

3. What type of personal information do we collect?

We may collect the following types of personal information:

- Name
- Address
- Telephone number(s)
- Email address
- Signature
- Special category data - in a small number of circumstances individuals will provide us with such data in support of their application (e.g. evidence of a disability, for example to demonstrate that a planning application fee exemption can be applied on such grounds [and as is permissible under the regulations that cover planning application fees]).

4. How do we collect personal information?

We may collect your personal information in a number of ways, for example:

- Face to face meetings / interviews
- Application forms
- Telephone
- In writing
- Online
- Email

5. Why do we collect your personal information?

South Tyneside Council holds information about Development Management service users in order to:

- Provide you with relevant advice and information
- To process applications, 'representations' and queries
- To advise client departments in regard to the Councils statutory and regulatory functions
- Provide services or arrange for others to provide services to meet your needs
- We use information for statistical analysis but in such a way that your identity will not be involved
- To respond to allegations of unauthorised development / alleged breaches of planning control

6. Who might we share your personal information with?

Your information will not be shared with other organisations unless we have your consent or there is a legal basis for doing so. For example, for the prevention or detection of crime, an order of a court requires us to do so or we are required to as part of the Planning Appeals process.

Contact phone numbers, email addresses or your signature are not therefore ordinarily shared, however there may be some occasions where this is required. For example, where an order of the court requires it or if the matter you raise with Development Management is not a matter it can deal with, but another part of the Council could (and we would therefore wish to refer the matter to that service).

7. How long will we keep your personal information?

After we deliver a service to you, we have to keep your information as a business record of what was delivered. The type of service you receive will determine how long we have to keep your information but the retention period for the Development Management service is indefinite.

8. What is our legal basis for using your personal information?

The legal basis for collecting and processing your personal information is as follows:

Legal obligation: the processing is necessary for us to comply with planning legislation i.e. the Town and Country Planning Act 1990

Public task: the processing is necessary for us to perform a task in the public interest or for our official functions; and,

Explicit Consent: you or your representative gave us explicit consent

Special Category Data

- Health Data - for example, evidence of medical history.
- Any other sensitive information relied upon in relation to the consideration of a planning matter.

9. How do we keep your personal information secure?

The security of your personal information is important to us. The records we keep about you are secure and are confidential within the Council. The Council have a range of procedures, policies and systems to ensure that access to your records are controlled appropriately.

Examples of our security include:

- Encryption, meaning that information is hidden so that it cannot be read without special knowledge (such as a password).
- Controlling access to systems and networks allows us to stop people who are not allowed to view your personal information from getting access to it;
- Training for our staff allows us to make them aware of how to handle information and how and when to report when something goes wrong.

10. Is your personal information used overseas?

We will not process your personal information outside of the European Economic Area (EEA).

11. Marketing

At no time will your information be passed to organisations external to us and our partners for marketing or sales purposes or for any commercial use without your prior express consent.

12. What are your rights?

Your individual rights are set out in law. Subject to some legal exemptions, you have the following rights:

- Right to be informed
- Right of access
- Right to rectification
- Right to erasure
- Right to restrict processing
- Right to data portability
- Right to object
- Rights in relating to automated decision making and profiling

13. Contact us

If you would like to exercise your rights in relation to your personal information, or you feel that something has gone wrong with your personal information, you can contact us in either of the following ways:

By email: data.protection@southtyneside.gov.uk
By telephone: 0191 424 6539
In writing: South Tyneside Council
Information Governance
Town Hall and Civic Offices
South Shields
NE33 2RL

If you feel that the Council has not handled your information correctly you can contact the Information Commissioner's Office (ICO). The ICO is the Government's Independent Body responsible for overseeing data protection. In most cases the ICO will only review cases that have exhausted the Council's internal procedures.

The ICO's contact details are as follows: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, SK9 5AF. More information can be found on the ICO's website at www.ico.org.uk.