

## Archive Planning Records & GDPR Guidance

### Viewing Records and Making Copies

Most of our records, including decision notices, can now be viewed on our website. If you require access to the entire archive planning record for a property, this can be ordered to view remotely (charges apply – see our website for further details).

We now offer a fully remote service for viewing archive planning records. Once we have retrieved the archive planning record from storage and scanned it, you will be contacted by officers and provided with view only access to view the file for 24 hours. If you require PDF copies of documents after viewing the archive planning records, additional charges will apply (see our website for further details).

### Charges for Archive Retrieval Service

All Local Authorities have the powers under Section 93 of the Local Government Act 2003 to levy charges for discretionary services and charge an administration fee to cover costs for preparing archive material. The cost of the archive planning records retrieval service covers the sourcing, scanning and retrieval of the archive planning records by our third-party service provider.

### Personal Data

Under the General Data Protection Regulations (GDPR) and Data Protection Act 2018, personal data is defined as any information that relates to an identified or identifiable individual. Information that identifies an individual, directly or indirectly, could include reference to an identifier such as their name, address or telephone number or their physical, mental, economic, cultural or social characteristics. In other words, anything biographical about an individual. Any recorded opinions and intentions towards individuals are also included.

### GDPR Compliance for Archive Planning Records

The GDPR has enhanced the rights of individuals and intensified the threshold organisations must adhere to in order to evidence compliance. Compliance refers to the GDPR principles and obligations. For instance, organisations are required to demonstrate compliance with not keeping information for longer than is necessary; or ensuring that individuals are fully informed about how their personal data is processed.

It is against this background that the impact of the GDPR refers to the ability of the authority to comply in relation to the disclosure of personal data contained within planning records, particularly those deemed closed. The GDPR mean that the council must consider what strategies can be deployed to safeguard the rights and freedoms of data subjects. Any such strategies may include extra costs, for instance those associated with redacting data of both manual and digital records. Data Protection laws are retrospective and therefore applicable to any record where it cannot be proved that the individual is no longer able to exercise their rights (i.e. where they are deceased).

The council has adopted an online platform that enables us to provide remote access to archive planning records on a read only basis, with the provision of copies subject to a separate request process that enables officers to redact copied documents, where required, to ensure GDPR compliance.