

## 2 Data Description

*Answer the questions below so that there is a clear understanding about how the information will be used, who will use it etc. Remember that it's personal information (i.e. information about individuals) that you need to be concerned with. If you do not have answers to all the questions at this time, simply record what you do know.*

<p>Whose information is being used?</p> <ul style="list-style-type: none"> <li>- <i>Are there additional concerns that need to be considered due to individuals sensitive/ complex circumstances? i.e. vulnerable person</i></li> </ul>	<p>Anyone who comments in writing to the Local Plan Review or the South London Waste Plan, either at the Issues and Options/draft Plan stage (regulation 18 of the Town and Country Planning (Local Planning)(England) Regulations 2012, or at the Proposed Submission publication of the plan stage (regulation 19 of the Town and Country Planning (Local Planning)(England) Regulations 2012.</p>
<p>What information is being used?</p> <ul style="list-style-type: none"> <li>- <i>Consider the nature of this information E.g. Child's social care file</i></li> </ul>	<p>The names and contact details will be used to notify respondents of future stages of Local Plan preparation. However, they will have the option to opt out of future notifications should they not wish to hear in future from the Council regarding the Local Plan Review or South London Waste Plan. However, in accordance with the LDF Consultation Database privacy statement available online, the data will be used to support the preparation of the statutory development plan for Croydon and its supporting documents. Data may be shared with the Planning Inspectorate and any appointed Programme Officer (who may be external to the Council) in relation to the Examination in Public of the statutory development plan for Croydon. All data will be kept indefinitely. At any stage a person may request to be removed from the Consultee Database. If a request to be removed from the Consultee Database is made and the person has made any representations on the statutory development plan (either the Local Plan Review or the South London Waste Plan) and that plan or supporting document still forms part of Croydon's planning policies</p>

	<p>then you will no longer receive any correspondence from Croydon Council using the Local Plan Consultee Database but your details will still be held on the database until all documents that you have made representations on are no longer part of Croydon's planning policy framework, at which point your details will be permanently deleted. This is because the Council has to keep records of representations made on the statutory development plan.</p> <p>If a person has not made a representation on a current or emerging statutory development plan, and requests to be removed from the database, then their data will be permanently deleted.</p>
Does it include special category or criminal offence data?	If any representations made to the Council contains 'sensitive data' (which includes racial or ethnic origin; political opinions; religious or philosophical beliefs; trade union membership; or health, sex life and/or sexual orientation) then this may be held within the database if it is relevant to the comments being made (as part of a summary of the representation) on the basis that by submitting the information, the person who made the representation is giving their explicit consent to the sensitive data being held within the database.
Can an individual be identified easily from the information?	Yes they will give their name, and their postal and/or e-mail address.
<p>What is the potential impact on privacy of this information?</p> <ul style="list-style-type: none"> <li>- <i>What are the risks/ impact to an individual if this information was lost, stolen or manipulated?</i></li> <li>- <i>E.g. could it be sold?</i></li> </ul>	If someone got hold of the information they could sell it as a contact list. If a person has included 'sensitive data' in their representations to the Council, and that information is relevant to their representation, then this information could be
Will this change the manner in which we handle, use or protect this information? <i>e.g. should it be encrypted?</i>	We will need to summarise the information for potential inclusion in a Statement of Consultation on the Local Plan Review or South London Waste Plan. No personal

	<p>data will be included in this statement, and any sensitive data will need to be redacted.</p> <p>At the Proposed Submission (regulation 19) stage of the Local Plan Review and South London Waste Plan, all data including un-redacted representations will be forwarded to the Planning Inspectorate to enable the examination of the Local Plan. This is made clear in the Privacy Statement available online. and once that is done the information will be anonymised so that the person who made the comment can not be identified publicly.</p>
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### 3 Consultation process

#### Consider how to consult with relevant stakeholders.

When did you consult individuals?	We will consult from when the consultation starts for 7 weeks from 31 <sup>st</sup> October 2019
How did you consult individuals?	They will be able to submit comments in a number of ways; on line survey, email and letter.
If not explain why it is not appropriate.	NA
Who else within the organisation have you consulted with?	Communications Team
Do you need to speak with your processor to assist?	No
Do you plan to consult information security experts or any other experts?	No

## 4 Assessment of necessity and proportionality of data usage

What is your lawful basis for processing?	Planning and Compulsory Purchase Act 2004 supported by the Town and Country Planning (Local Planning)(England) Regulations 2012
Is consent being relied upon to share the information? Has explicit consent been obtained? Are data subjects able to opt out from giving consent?	We will explain that comments may be made public but their details will not.
Does the processing actually achieve your purpose?	We are required to consult to meet the Town and Country Regulations
How will the information be collected? Verbally, forms, intranet, interview, 3 <sup>rd</sup> party, anonymous)	Inputted by the person themself
Is there another way to achieve the same outcome?	No
How will the information be used? <i>e.g. to write a report</i>	To develop policies in a Development Plan Document
Do the individuals know and understand how their information will be used? If there are changes to their information does the privacy notice need to be amended?	There is information on any form that is used that explains why we need their data and that they can request to opt out. We only need their data if they wish to be kept informed at this stage so they can opt out.
How will it be stored, kept up to date and disposed of when no longer required? <i>e.g. stored in locked cabinet/securely shredded</i>	<p>It will be stored on a SQL database saved on a Council server. All original correspondence will be saved on Council server (not SharePoint) with access limited to members of Spatial Planning service.</p> <p>In accordance with the privacy statement, once the Local Plan Review or the South London Waste Plan no longer form part of the statutory development plan for Croydon the data can be deleted. Note it is likely that the documents will remain part of the statutory development plan in full or in part until the late 2020's/early 2030's.</p> <p>Paper records will be scanned as soon as possible upon receipt, with the electronic copy saved on a secure server, and the paper copy destroyed securely.</p>
How will you ensure data quality and data minimisation?	The person will input the details themselves.

Who will have access to the information within LBC? - <i>Include approximate number of users</i>	The staff in the Spatial Planning Team and our business support (c.15 users)
Are there new or significant changes to the way we manage, use, handle or collect this information? - <i>Include any identified concerns for the individuals, would these changes heighten risks involved</i>	No we have always collected and used this information like this for planning documents.
Will individuals within an existing database be subject to new or changed handling? - <i>If yes amendments need to be made to the privacy notice and these individuals need to be informed.</i>	No
What are the internal arrangements for processing this information? <i>e.g. number of staff who will have access</i>	As per question above – c.15 people
How will the information be updated? <i>e.g. monthly check</i>	The information will not be updated. If people change their contact details they submit it on the form on this page <a href="https://www.croydon.gov.uk/planningandregeneration/framework/localplan/croydon-local-plan---partial-review">https://www.croydon.gov.uk/planningandregeneration/framework/localplan/croydon-local-plan---partial-review</a>
Does the project involve the exchange of information outside of the UK and are there set standards for how the information will be treated? How will you safeguard international transfers?	No
How will you prevent function creep?	The information is very specific and not very much use to anyone so unlikely but we will not share it (except with an appointed Programme Officer, and the Planning Inspectorate to enable the examination of the Local Plan Review and the South London Waste Plan). This is made clear in our privacy statement online.

## 5 Assessment of the risks to the rights and freedoms of data subjects

*You must describe the source of risk and the nature of potential impact upon individuals and identify any additional measures to mitigate those risks.*

### 5a Security

Who will be responsible for the control for this information?	Project manager
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How will the access to this information be controlled?	SQL database has controlled access. Council's server ( <a href="\\lbcbau.croydon.net\grpdata\prc">\\lbcbau.croydon.net\grpdata\prc</a> ) is restricted to members of Spatial Planning.
Is the data correctly managed to reduce the risk of collateral intrusion to the data subject?	Yes
Are there adequate provisions in place to protect the information? If so what are they? <i>e.g. Process, security</i>	The

## 5b Sharing

Who is the information shared with, why are we sharing the information with this organisation?	At later stages of the Local Plan Review and South London Waste Plan, any representations received at the Proposed Submission (regulation 19 of the Town and Country Planning (Local Planning)(England) Regulations 2012) stage will be shared with the Planning Inspectorate. This is a legal requirement. All contact with the Planning Inspectorate is made via an appointed programme officer, who is also external to Croydon Council.
What purpose does the information we are sharing have to the third party?  - <i>Ensure that we only share relevant information and not excessively</i>	It is a requirement of regulation 22 of the Town and Country Planning (Local Planning)(England) Regulations 2012.  In order to ensure that the Planning Inspector appointed by the Secretary of State is independent of the Council all dealings with the Planning Inspector are done via a Programme Officer. This is a requirement of the Planning Inspectorate.
Who will have access to the information, externally?  - <i>Include approximate number of users</i> - <i>Describe any sharing arrangements and what the level of access is. It may help to produce a diagram to show the data flows.</i>	3 people (1 programme officer, 1 planning inspector, 1 administrative person at the Planning Inspectorate)
How will it be transmitted to third parties and when? How often? - <i>Provide details of software used</i>	Through secure mail courier, or electronic transfer.

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Is there a data sharing agreement in place?	No
At what stage will the information be transferred?	At Regulation 22 of the Town and Country Planning (Local Planning)(England) Regulations 22. This is scheduled to take place in January 2021.



## 5c Identified Risks and assessment:

*You should take into account the sensitivity of the information and potential harm that inappropriate disclosure or use of the information could cause to any individuals concerned. You should also consider the reputational loss to the Council and the potential for financial penalties being imposed by the ICO.*

To assess the level of risk you must consider both the **likelihood** and the **severity** of any impact on individuals. A high risk could result from either a high probability of some harm or a lower possibility of serious harm.

The severity impact level and likelihood should be scored on a scale of 1 to 10 with 1 being low severity and 10 high. The two scores should be **added** together. The RAG status is derived from the following scale:

Score:

- 15 to 20 = Red (High)
- 8 to 14 = Amber (Medium)
- Below 8 = Green (Low)

### To be completed by Project Sponsor

Risk Identified	Severity of Impact	Likelihood of harm	Overall RAG rating
Loss of the data – someone steals it	2	2	4



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## 6 Identify measures put in place to reduce risk.

*You must now identify additional measures you could take to reduce or eliminate any risk identified as medium or high risk in step 5.*

**To be completed by the Project Sponsor**

<b>Risk Identified</b>	<b>Options to reduce or eliminate risk</b>	<b>Effect on risk</b> <i>Eliminated / reduced / accepted</i>	<b>Residual risk</b> <i>Low / medium / high</i>	<b>Measure approved</b> <i>Yes / No</i>
<b>Lost outside the organisation</b>	<b>Keep the information on secure SQL database and on secure server with limited access</b>	Reduced	low	
<b>Names and addressed printed</b>	<b>Destroy all paper copies of representation once it has been scanned and saved on secure server</b>	Reduced	low	

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### Sign off and Record sheet

Item	Notes, Name and date
Measures approved by:	
Residual risks approved by: <i>(If accepting any residual high risk must consult ICO before going ahead.)</i>	
IM advice provided:	
DPO advice provided: <i>(DPO should advise on compliance, measures to mitigate risk and whether processing should proceed)</i>	
IM sign off:	
DPO final sign off:	

**If you require further guidance to complete this DPIA please contact:**

**Information Management Team (IMT)**

Ext: 47777

Email: [information.management@croydon.gov.uk](mailto:information.management@croydon.gov.uk)

**Data Protection Officer**

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