

MINUTES OF THE PARISH COUNCILS' FORUM

Monday 19 March 2018

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COUNCILLORS PRESENT: Councillors Brown (Chair), Clarkson, Smith and Sinclair.

PARISH REPRESENTATIVES PRESENT: Gordon Roper (Chair, Blackbird Leys Parish Council), Ann Booker (Blackbird Leys Parish Council), Lynda Comber (Chair, Littlemore Parish Council), John Dillon (Blackbird Leys Parish Council), Patricia Hall (Old Marston Parish Council), Anthony Greenfield (Old Marston Parish Council), Tim Cann (Clerk, Old Marston Parish Council) and Derek Taylor (Risinghurst and Sandhills Parish Council)

OFFICERS PRESENT: Nigel Kennedy (Head of Financial Services), Jan Heath (Business Improvement & Performance Manager), Adrian Wood (Technical Officer), Bruce Thompson (Building Operations Manager) and John Mitchell (Committee and Member Services Officer)

15. APOLOGIES FOR ABSENCE

Richard Wilkins (Clerk, Littlemore Parish Council)

16. INTRODUCTION FROM LEADER OF THE CITY COUNCIL, COUNCILLOR SUSAN BROWN

Councillor Susan Brown, Leader of the Council, welcomed those present. She said that the Forum meetings provided an important opportunity to engage with the Parish Councils collectively and for the helpful mutual exchange of ideas, information and concerns. She welcomed the contribution the Parish Council representatives were able to make.

Gordon Roper asked for thanks to be recorded for the support Cllr Price had given to Parish Councils during his time as Leader.

17. ITEMS RAISED BY PARISH COUNCILLORS

General Data Protection Regulations (GDPR)

Lynda Comber, on behalf of Littlemore Parish Council, had asked for clarification about the consequences of the GDPR for Parish Councils.

Jan Heath spoke to a presentation about the introduction of the Regulations with effect from 25 April 2018. A copy of the presentation is attached to these

minutes. The new regulations sought to take account, among other things, of information held in many and various forms as the result of the significant growth in social media and other types of electronically held data. Fines for breaches will be significantly increased while, at the same time, it is clear that the Information Commissioner (ICO) would rather not have to impose them.

All breaches must be reported to the body's Data Protection Officer (DPO) and, if the breach represents a risk to "the rights and freedoms of an individual", it must be reported to the ICO.

There is a requirement for all bodies to identify a DPO but there have been mixed messages about who this can/can't be in the case of Parish Councils. One source of advice had said that all Councillors should possess iPads (or equivalent) for Council business (which would represent a very significant cost to Parish Councils). Jan Heath said that the latest advice she had received about these matters was that Parish Council Clerks could be DPOs and that Councillors' personal devices could be used with the proviso that they were equipped with sufficient encryption protection.

Anthony Greenfield said the Marston PC collected residents' contact details in the context of a Neighbourhood Watch scheme. It was agreed that the Council would have to be clear about the purpose to which the details would be put and residents would have to give specific consent for their details to be used in that way. Furthermore the Council would have to ensure that the details were stored securely.

District Councillors had to register as Data Controllers. It was likely that Parish Councillors would have to do so also (at a cost of £35 per registration).

The lack of clarity about the practical consequences of some of these requirements for Parish Councils was a source of understandable concern to the PC representatives. Given that definitive interpretation and advice about some of these matters was awaited, it was clear that the ICO would not expect 100% compliance from day one.

Jan Heath agreed to give PC representatives a link to the latest advice that she had been referring to. She explained that the City Council was represented on a group of authorities looking at the introduction of GDPR and she would raise the PC concerns with them. She also undertook to ensure that the consequences of the new regulations for PCs were not overlooked and that they were kept informed about them.

Community Infrastructure Levy

Richard Wilkins, on behalf of Littlemore Parish Council, had asked for an explanation of the allocation of CIL expenditure in the City.

Nigel Kennedy introduced this item and spoke to the tabled paper. 80% of the CIL was retained by the Council and 15% available to the Parish Councils. The

CIL was available to support a wide range of infrastructure and development projects across the City, as evidenced by the information given in the table. Lynda Comber noted that Littlemore Parish Council had significant developments in its area but did not appear to have received a commensurate level of CIL funding. Nigel Kennedy noted that many of the major CIL projects were, however, of universal benefit to City residents and were not PC area specific.

In a wider discussion it was suggested that PC representatives could lobby their local City Councillors if they wish to promote particular causes for potential CIL expenditure in their area. It was noted that account needed to be taken of time constraints applicable to CIL expenditure in considering what suggestions might be put forward and that, inevitably, suggestions for potential CIL expenditure always exceeded the money available.

Air Quality Monitoring

Cllr Greenfield reminded those present that he had asked for this item, on behalf of Marston Parish Council because of his great concern about air pollution in the City generally and in relation to Marston in particular. The opening of the Swan school had the potential to add significantly to traffic congestion in that area with a commensurate increase in air pollution and the associated consequences of that for people's health. He had been surprised that an environmental health impact assessment had not been necessary for the new school.

The Chair said that the Council collected data about air quality but its ability to influence decisions about traffic management was limited as it was not the transport authority but it did, of course, work with the County Council which was. While congestion in that part of the City was undoubtedly an issue, she noted that the Cherwell school had one of the highest proportions of pupils travelling to it by bicycle, a pattern which was likely to be replicated to some degree at that Swan school. It was noted that the unaffordability of housing in the City did however mean that a significant proportion of teachers lived outside the City and commuted by car. Cllr Smith was concerned about the road safety issues which would be associated with higher volumes of traffic.

While there was appreciation for the information provided there was disappointment that no officer was available to speak to it, particularly as it was quite technical in nature. It was agreed that the matter should be returned to the next meeting with an assurance that an officer would be able to speak to the data. It was also agreed that the new paper should include actual data in relation to each Parish Council area (and not just link to where data are held).

18. ITEMS RAISED BY OFFICERS

Council Tax 2018-19

Adrian Wood spoke to the previously distributed paper which set out the background to the Council Tax rises for 2018/19, which were the biggest for nearly 15 years. He was grateful to co-operation from Parish Councils colleagues with whom he had liaised about their precepts and whose budget decisions had been made “very sensibly.”

The further reduction in Revenue Support Grant (RSG) for 2018/19 (56.85% from the 2017/18 level) had had to be applied to the Council Tax Support Grant that the City Council has passed to the Parish Councils. The RSG will disappear completely in 2019/20 and so will the Council Tax Support Grant.

The Chair reminded those present that the Council was committed to doing all it could, through a variety of measures, such as the Council Tax Reduction Scheme, to protect the City’s residents on the lowest incomes.

It was noted that the City’s particularly large student population, combined with a large number of education establishments, had a detrimental effect on the tax which could be collected by the Council. Students in halls of residence and in houses only occupied by full time students and are exempt from Council Tax. Educational establishments are entitled to 80% discount on Business Rates. This places the City at a considerable disadvantage. Representations have been made to the Ministry of Housing, Communities and Local Government but to no avail. Attempts were made to ensure that landlords who took on non-student lodgers during the holidays paid their dues but these were often difficult matters to prove.

19. MINUTES

Cllr Roper was pleased to report that the recycling site in Ambassador way had been moved. This had made a very positive difference.

Cllr Smith said that discussions in relation to the Sandy Lane Stadium continued. Decisions would be made known as soon as possible .

The Parish Council Forum APPROVED the minutes of the meeting held on 20 November as a true and accurate record.

20. DATES OF FUTURE MEETINGS

To next Forum meetings will be held as follows:

- 09 July 2018
- 19 November 2018
- 25 March 2019

The meeting started at 6.00 pm and ended at 7.10 pm

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GENERAL DATA PROTECTION REGULATION (GDPR)



General Data Protection Regulation

What is it?



Where has it come from?



Why has it changed?



Date of enforcement:

25 / 05 / 2018



Key Changes in the GDPR...

- Bigger Fines
- Breaches
- Individual Rights
- Information Sharing
- Data Protection Officers
- Privacy Impact Assessments



What's new?



Big Fines!!!

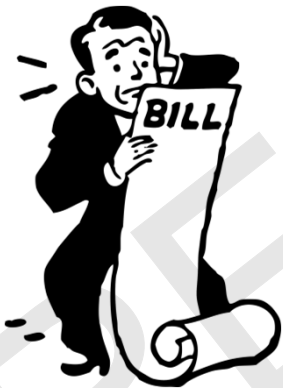
Tougher penalties:

- 4% of annual global revenue

OR

- €20 million

WHICHEVER IS GREATER



Data Breach!

What qualifies as a breach?



Any breach must be reported to the DP team

ICO must be notified when a breach is likely to result in a risk to the rights and freedoms of an individual – if, for example, it could result in:

- Discrimination
- Damage to reputation
- Financial loss
- Loss of confidentiality
- Significant social or economic disadvantage

MUST BE REPORTED WITHIN 72 HOURS



Personal/Sensitive Data

- Name
- Address
- Genetic e.g. Fingerprint
- Mental e.g.. Illnesses
- Cultural e.g. Race
- Economic e.g. Income
- Social Identity e.g. Political Affiliation



Sensitive Data: data consisting of racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, genetic data, biometric data, data concerning health or data concerning a natural person's sex life or sexual orientation.





Transparency – Privacy Notices

A privacy notice is a statement that discloses all of the ways that client or customer data is used, disclosed, and managed. It fulfils a legal requirement to protect a customer or clients privacy.

Privacy Notices must be reviewed and updated to ensure they are clear and concise.



NO FINE PRINT!



Information Sharing

- 3rd Parties
- Liability
- Contracts



Consent vs Legal Basis



Most services the council provides qualify as legal use therefore consent is not required

For example: Storing postal addresses and tenant names for the use in allocating council tax

**However when we need to obtain consent it MUST be clear!
Opt IN not Opt Out**

Pre – ticked boxes are not good enough!



Privacy Impact Assessments

Privacy impact assessments (PIAs) are a tool that you can use to identify and reduce the privacy risks of your projects

A PIA enables an organisation to systematically and thoroughly analyse how a particular project or system will affect the privacy of the individuals involved

E.g. How would a new computer system hold customer information, and what is the risk of loss

“Another term for Risk Assessment”

PIA's are now mandatory!!





**More information is available
on the ICO website**

<https://ico.org.uk>

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