



Naming Members of the Public in Minutes

Adopted Date	November 2018
Review Period	As required
Last Review Date	
Next Review Date	

BACKGROUND

Following growing support from Members of the Public, Faversham Town Council agreed the proposal of including personal names within the Annex to the Meeting Minutes for Public Session.

DEFINITIONS

A **data subject** is any person whose personal **data** is being collected, held or processed.

Personal data is information that relates to an identified or identifiable individual. What identifies an individual could be as simple as a name or a number or could include other identifiers such as an IP address or a cookie identifier, or other factors.

LEGISLATION

Public Session takes place before the start of a meeting and questions are shown as an annex attached to the formal minutes.

The Data Protection Act 2018 states that processing of personal data shall be lawful only if and to the extent that the data subject has given consent to the processing of his or her personal data for one or specific purposes.

Consent requires a positive opt-in. Explicit consent requires a very clear and specific statement of consent.

Under the Freedom of Information Act we are required to publish minutes and agendas of all meetings. However, we would not be expected to include any information which would be exempt under the FOIA or any personal information which it would be unfair to disclose or would otherwise breach the Data Protection Act 2018.

PROCEDURE

Members of the public, who provide positive consent when presenting their question, will be named in the minutes. The following statement will be included on the agenda and as part of the Mayor's welcome "When providing your name and address prior to addressing the meeting, please confirm, or otherwise, that you

consent to your personal details being recorded in the Minutes. Your personal data will be processed as directed by GDPR Article 5”

THE GDPR ARTICLE 5

States Personal data shall be:

1. processed lawfully, fairly and in a transparent manner in relation to the data subject ('lawfulness, fairness and transparency');
2. collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall, in accordance with Article 89(1), not be considered to be incompatible with the initial purposes ('purpose limitation');
3. adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed ('data minimisation');
4. accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay ('accuracy');
5. kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) subject to implementation of the appropriate technical and organisational measures required by this Regulation in order to safeguard the rights and freedoms of the data subject ('storage limitation');