

Information Governance Team – privacy and your data

1. Who we are and what we do:

There is a general right of access to all recorded information held by local government. The information governance team receives and manages enquiries from the public requesting this information.

These enquiries will usually be considered under one of the following pieces of legislation:

- Freedom of Information Act 2000 (FOI).
- Environmental Information Regulations 2004 (EIR).
- General Data Protection Regulations (GDPR).
- Data Protection Act 2018 (DPA).

This privacy notice explains what personal data is necessary to comply with your requests, and how the team processes the personal data of requesters.

For additional information about your rights and when the Council will share data, this document should be read alongside the Council's [general privacy policy](#).

2. What information do we hold and use?

When processing an FOI or EIR request, we may need to collect your personal information if you are contacting us as an individual. You will be required to provide this information in order to proceed. This personal information could include:

- Your first name.
- Your surname / family name.
- A correspondence address (this can be a physical address, or an email address)

You may choose to provide additional contact details if you believe doing so will assist with processing your request.

If you are contacting us about a Subject Access Request (SAR) - asking for your own personal data - the team must be reasonably certain that you are in fact the person that you claim to be. In addition to the above information, we may also require:

- Proof of ID, such as a passport or drivers licence.

3. How do we obtain your personal information?

In most cases, we will only obtain your personal data from you when you have directly submitted a request for information.

In some instances a request may be provided from another source. If you have contacted another council or organisation who believes we may hold the information

you are looking for, they may forward us your request. If this is the case, we will contact you directly to acknowledge the request.

Sometimes you may contact the team through a 3rd party. This could be a solicitor or a charity who is supporting you. In those circumstances, the team would look to obtain assurances that the person or organisation contacting us does have permission to act on your behalf.

This may require a signed statement or confirmation of ID from yourself, and we will write out to notify you of this.

4. What do we use this information for?

Your personal data will be used to help manage your request – we will allocate you a case number to help track your request and ensure an appropriate response is sent back to you.

We may share your personal information with the departments and service areas who hold the data you have requested, if it is necessary to do so. This would be the case for a SAR where the service areas will need to know whose data they need to locate.

Requests that are considered under FOI or EIR are typically ‘pseudonymized’. This means your name and contact details are not passed on to the service area unless there is a good reason that they should be.

5. On what basis do we use your data?

The law states that for an FOI or EIR request to be valid, a name and correspondence address must be provided.

We are also required to be reasonably certain that any personal data we disclose through a SAR is going to the correct person – this may mean verifying your identity.

Due to this, the Council will process your personal data on the basis of its [legal obligations](#) to comply with access to information legislation.

6. Who do we share data with?

In addition to the reasons and organisations set out in the Council’s [general privacy notice](#), data submitted to the Information Governance team by requesters may be shared with the following groups:

- The Information Commissioner’s Office (ICO): When considering appeals about how the Council has handled information cases, we are required to provide the Commissioner with our case files, including correspondence to and from the complainant.
- East Kent Housing (EKH): When requests are received that relate to the Council’s social housing stock, or housing management, authority has been

delegated to EKH to respond directly. Due to this, the Council will forward requests of this nature directly to EKH's FOI representative who will then contact you directly.

7. How long do we store your data?

The team will retain your personal information for a period of 2 years from the point that your case was closed.

The Council has a retention schedule in place that governs how long information should be held on to. This ensures we only process your personal information for as long as it is needed.

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