



Information Rights Policy

Item	Details
Reference:	Information Governance -1-IRP
Status:	Draft
Originator:	Head of Legal & Support Services
Owner:	Data Protection Officer
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Date:	[To be inserted once finalised]

Key policy details

Approvals

Item	Date of Approval	Version No.
Consulted with N/A		
Reviewed by Audit and Governance Committee	7 August 2024	1:1
Approved by Cabinet	24 September 2024	1:1

The policy owner has the authority to make the following minor changes without approval.

- **Operational Changes** - any modification in information rights procedures or required alignments with other documents within the Information Governance Framework.
- **Regulatory Decisions** - when Court or regulatory decisions impact information rights practices.
- **Guidance Changes** - If there are changes in regulatory guidance related to information rights the policy owner should review and update this policy accordingly.

Policy Location

This policy can be found on the Council's website and the Sharepoint page under current policies tab.

Equality Impact Assessment (EIA)

Completed by	Completion date
Fay Ford	1 June 2024

Revision History

Version Control	Revision Date	Summary of Changes
1:1	July 2024	Creation of Document

Policy Review Plans

This policy is subject to a scheduled review once every year or earlier if there is a change in legislation or local policy that requires it.

Distribution

Title	Date of Issue	Version No.
Distributed to Cabinet	24 September 2024	1:1
Published on website	TBC	

Information Rights Policy

1. Introduction

Under the Data Protection Act 2018 individuals have various rights in relation to the information that North West Leicestershire District Council (the “Council”) processes about them.

Members of the public can also request information from the Council under the Freedom of Information Act 2000(FOI) The Environmental Information Regulations 2004 apply to all information which relates to the environment, in its broadest sense, including land, air, water, soil, buildings, animals and people, pollution of all kinds, waste, health and safety. This also includes reports, measures and analysis of environmental information. Whereas the Freedom of Information Act 2000 applies to all other information.

This policy sets out the Council’s approach to complying with this legislation in relation to information rights.

2. Scope

This policy forms part of the Council’s Information Governance Framework, which applies to all staff including employees, councillors, agency staff, contractors, volunteers or any other persons who have access to, or use the Council’s information.

It covers:

- Requests from the public (FOI, EIR).
- Data Protection and privacy rights (UK GDPR & Data Protection Act).

3. Principles

Transparency

- The Council will be transparent about its information holding and processes.
- Privacy Notices will be made available to individuals.

Access to information

- The Council will respond promptly to requests for information under FOI and EIR.
- Requests for personal data will be handled in accordance with the UK GDPR and the Data Protection Act.

4. Collection, Use and Retention of Information

The Council collects information, including personal information, in order to operate as a local authority and to deliver services to members of the public. Where it is appropriate for information to be made publicly available, the Council will seek to do so by publishing it on its website and/or making it available by other means. In the case of some information, it will not be appropriate to share the information publicly e.g. where the information is confidential and/or there is a right to privacy.

In accordance with the legislation, the Council will only retain information for as long as necessary and will ensure that all information is held with appropriate levels of security. The Council maintains a retention schedule that sets out how long we will keep each type of information for.

5. Personal Information

The Council processes personal data only where necessary, proportionate and the requirements of data protection legislation are met. It handles all personal data in accordance with its Data Protection Policy.

Individuals that the Council holds personal data about have the following rights:

- The right to be informed about how and why their data is being used.
- The right of access to their own personal information held by the Council.
- The right of rectification where their data is inaccurate or not up to date.
- The right to erasure of their data.
- The right to restrict the processing of their data by the Council.
- The right to object to processing of their data by the Council.
- The right to have their data 'ported' to another organisation.
- Rights in relation to automated decision making and profiling.

The rights of individuals in relation to their personal data will depend on the purposes for which the Council is processing that data, which are set out in the Council's privacy notice(s).

Requests in relation to data subject rights can be made via the Council's website and the Council will respond to such requests as soon as possible (and in any event within the relevant timescales). Sometimes we may need to extend the timeframe for response where the request is large and/or complex, in which case we will advise the requestor as soon as possible. In some cases, we may ask the requestor to clarify or refine their request to enable us to provide an appropriate response.

We will endeavour to provide any information in the format requested, where it is reasonable and practicable to do so.

6. Other Information

The Council holds a range of information that any member of the public can submit a request to obtain a copy of, under either the Freedom of Information Act 2000 or the Environmental Information Regulations 2004 (or both). Information requests for such information can be made via the Council's website.

Where reasonable and practical to do so, we will make information publicly available on the Council's website or by other means.

If there are any charges or restrictions on use in relation to the information requested, then the requestor will be notified accordingly.

The Council will seek to respond to requests for information as soon as possible but in any event within the statutory timescales. Should there be a need to extend a deadline for any reason, the requestor will be notified.

Where a requestor is dissatisfied with the outcome of their request, it is open to them to request an internal review. Internal reviews will be carried out by another member of staff, independent to the officer that provided the initial response.

A requestor has the right to complain the Information Commissioner's Office if they remain

dissatisfied with the outcome following an internal review.

7. Relevant Legislation

The following legislation is relevant to this policy:

- The UK General Data Protection Regulation
 - Data Protection Act 2018
 - Human Rights Act 1998
 - Freedom of Information Act 2000
 - Environmental Information Regulations 2004
 - Local Government Acts
- 8.** This Policy will be updated and or amended as necessary to reflect the changes in legislation and best practice.