



The Government of Sark

## DEVELOPMENT CONTROL COMMITTEE.

# Fair Processing Notice

As part of its responsibilities in considering applications for development the Development Control Committee maintains a record of all applications and correspondence with the applicants and other interested parties.

## 1. The Data Protection Law

The controller acknowledges its obligations as per the data protection law, which provides a number of requirements in terms of processing activities involving personal data. The controller further acknowledges the general principles of processing as well as the rights of a data subject and more information in relation to these provisions are provided within this fair processing notice.

## 2. The Principles of Processing

### a. Lawfulness, fairness and transparency

*Personal data must be processed lawfully, fairly and in a transparent manner.*

The personal information processed on behalf of the Committee is provided by the applicant (or person submitting a letter in support, or in objection to an application). The personal information held by the Committee consists of:

- Name
- Address
- Telephone number - if provided by applicant
- e-mail address - if by e-mail application, or if provided by applicant

No personal data classed as 'special category data' is collected by the Committee.

The Committee collects personal data in the process of carrying out its functions under **The Development Control (Sark) Law, 1991, The Development Control (Sark) Ordinance, 1992 and The Development Control (Signs) (Sark) Ordinance, 2014.**

The personal data relevant to a given application held by the Committee is only shared with the Development Control Tribunal, in the event of an appeal against the Committee for that application. Copies of any letters objecting to a development are shared with the Tribunal and the applicant, in the event of an appeal.

#### **b. Purpose limitation**

*Personal data must not be collected except for a specific, explicit and legitimate purpose and, once collected, must not be further processed in a manner incompatible with the purpose for which it was collected.*

The controller acknowledges its responsibility with regards to this data protection principle and therefore the controller maintains that it will not further process that personal data in a way which is incompatible to its original reason for processing as specified in section 2a, unless the controller is required to do so by law. The personal data will not be transferred to a recipient in an authorised or an unauthorised jurisdiction (as per the definition within data protection law).

#### **c. Minimisation**

*Personal data processed must be adequate, relevant and limited to what is necessary in relation to the purpose for which it is processed.*

The controller maintains that it will only process the personal data which is detailed in section 2a, and will not process any further personal data that is not necessary in relation to the original reason for processing personal data as specified in section 2a, unless the controller is required to do so by law.

#### **d. Accuracy**

*Personal data processed must be accurate, kept up-to-date (where applicable) and reasonable steps must be taken to ensure that personal data that is inaccurate is erased or corrected without delay.*

The controller will ensure that all personal data that it holds is accurate and kept up-to-date, and any personal data that is inaccurate will be erased or corrected without delay.

#### **e. Storage limitation**

*Personal data must not be kept in a form that permits identification of a data subject for any longer than is necessary for the purpose for which it is processed.*

The personal data associated with any application is retained for the lifetime of the premises. Letters of objection are retained for one year after the date of the Committee's decision on the application in question.

#### **f. Integrity and confidentiality**

*Personal data must be processed in a manner that ensures its appropriate security, including protecting it against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.*

The personal data held by the Committee in the form of the original application is held in a locked filing cabinet in the Committee Office, the office is locked when not in use. Hard copies of the correspondence is held at the same location while electronic copies are held on the Government server.

#### **g. Accountability**

*The controller is responsible for, and must be able to demonstrate, compliance with the data protection principles.*

### **3. Contact Details**

The contact details of the controller are as follows:

The Committee for Development Control

Tel: (01481) 832118 (Monday-Friday 11.00-15.00)

Email: [development.control@sarkgov.co.uk](mailto:development.control@sarkgov.co.uk)

The contact details for the Data Protection Officer of Sark are as follows:

Data Protection Officer, The Chief Secretary

Tel: (01481) 832118 (Monday-Friday 11.00-15.00)

Email: [data.protection@sarkgov.co.uk](mailto:data.protection@sarkgov.co.uk)