

Minutes of the Meeting of Complaints Committee held in Rickards Hall on 9 June 2026 at 2:00 pm

Present: Cllrs. Jon Aldridge (*Vice-Chairman*), Angela Baker (*Chairwoman*), Margot McArthur, Stephen Sumner

In attendance: Town Clerk. There were no members of the public, or representatives from the press.

14:00 Meeting opened.

1 Apologies for Absence

The Chair of the Council, chaired the meeting.

None.

2 Declarations of Interest

None.

3 Exclusion of the Press and Public

In view of the confidential nature of agenda item 4 and 5 to be discussed, the Chairman noted that press and public be excluded from the chamber. Public Bodies (admissions to meetings) Act 1960 and the Local Government Act 1972 s100 and 102.

There were no members of the public present.

4 Complaint relating to the alleged disclosure of personal data

Committee members had received the full meeting pack, and noted that a full copy had been provided to the complainant on 27 May, excluding the Confidential personnel and governance report which was for Committee only - as it related to confidential employment and internal management processes, and therefore did not form part of the external complaints documentation.

On 2 June, additional information received from complainant was added to the complaints pack for committee, and the compliant was advised the email word be included in the pack, and that other than this there were further changes to the documentation pack.

Members considered the complaint, supporting correspondence, investigation findings and reports, additional information provided by the complainant, and a confidential personnel and governance report. It also noted that the complaint related to the information concerning the outstanding debt owed to the Council, and that this was allegedly discussed verbally with a third party.

Members commented on the procedures followed so far with handling the complaint from the initial stages to date, and praised the way this had been handled to date, and the presentation of the committee complaints pack.

One member asked if external advice had been sought. The Town Clerk said that the Council's complaint's procedures had been reviewed and updated by the Council's solicitor in 2021. In terms of understanding what constitute a data breach, the ICO's website did provide some helpful advice and definition:

The Committee considered relevant Information Commissioner's Office (ICO) guidance regarding the definition of a personal data breach, including examples such as unauthorised access to personal data, disclosure to an incorrect recipient, alteration of data without permission and loss of availability of personal data.

The Committee observed that, whilst the initial response addressed the outcome of the complaint, it did not clearly set out the reasoning by which the Council concluded that no personal data breach had occurred.

The Personnel review had concluded that no personal data breach had occurred. The matter related to a verbal discussion. No personal data, financial records, invoices, account details or other personal financial information were disclosed. While it was acknowledged that, with hindsight, the

conversation should not have taken place, it was not considered to constitute a personal data breach.

Procedurally, committee was satisfied that appropriate reporting was in place, albeit it the one relating to this complainant had not been reported to Finance Committee. Personnel committee had investigated this, and was satisfied with the explanation.

Members discussed if they were satisfied with the procedure handling of this and if it considered there were any legal breaches. It remained satisfied that it had followed procedures, that there were some administration procedural enhancements that should be reflected going forward, of which these had already been reported to Council (May meeting) and clarity added to the section 13 of its Financial Regulations.

There was also discussion about any future ICO investigation resulting from the complainant escalated the claim with the ICO, and/or a civil claim. Members were satisfied that it had followed procedures, and that they had concluded there had been no 'personal data breach'. The claim related to a limited organisation.

After much discussion, Committee concluded:

- The Committee noted that the information referred to a registered company.
- It supported the initial decision, that no personal data breach occurred.
- Both investigations, the initial complaint, and personnel, highlight some procedural areas which should be enhanced to provide clearer clarity to officers and public. These are now reflected in the Financial Regulation.
- Council Data Protection and GDPR policies, and Privacy Notices have recently been reviewed and update, as adopted by Council at its March meeting.

5 **Determination of Complaint**

Members unanimously,

Resolved: To uphold the initial compliant decision, and in response to the three question in the formal complaint:

1. Confirmation that the incident has been recorded in the Council's personal data breach register

The Committee concluded that no personal data breach occurred. Accordingly, the matter has not been recorded as a personal data breach. However, the complaint itself has been formally considered through the Council's Complaints Procedure, investigated internally and reviewed by the Complaints Committee. It has also been reported to Council inline with its own procedures.

2. The lawful basis relied upon for the disclosure

The Committee concluded that the circumstances reviewed did not constitute the disclosure of personal financial information in a manner that amounted to a personal data breach. In reaching this conclusion, the Committee considered the relevant provisions of UK GDPR, the Data Protection Act 2018 and guidance published by the ICO.

3. Whether the officer was acting in accordance with Council policy or instruction

The Committee reviewed the circumstances surrounding the complaint, including the actions of the officer concerned and the Council's relevant policies and procedures. The matter was also considered separately through the Council's internal personnel procedures.

The Committee was satisfied that there was no evidence of misconduct or of a personal data breach, and that the Complaints Procedure had appropriately investigated the circumstances. The Committee further concluded that no further action was required.

Whilst it was acknowledged that, with hindsight, the conversation giving rise to the complaint should not have taken place this did not alter the Committee's conclusion.

The Committee also noted your references to allegations of harassment. These matters were considered during the Council's internal reviews. No evidence was identified to support the allegation of harassment, and the Committee did not consider that these matters altered its conclusion in relation to the complaint under consideration.

Internal personnel matters are managed in accordance with the Council's employment procedures and do not form part of the external complaints process.

6 Close of Meeting

There were no further comments and the Chair closed the meeting.

14:42 Meeting closed.

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