

# Privacy Notice

This privacy notice sets out how West Berkshire District Council (the “**Council**”) will use your personal data, and your rights in relation to that personal data. This document describes how and why we collect, store, protect, process and share the data you give to us. It is written in accordance with the UK data protection legislation.

This notice relates to personal data we collect to help us to run **consultation and engagement exercises** on topics that we want the opinion of our residents, local communities, visitors, and other stakeholders on.

This notice applies to those individuals who choose to take part in the survey, this may include current and former employees OR current and former customers of the Service. It is important that you read this notice so that you know how and why we use information about you. It is also important that you inform us of any changes to your personal information so that the information which we hold is accurate and current.

If you have any questions about how your data is being used, please contact the Performance, Research and Risk (“PRR”) Team. Our contact details can be found using the following link: - <https://www.westberks.gov.uk/contact-performance-research-risk-team>

**Date of first Issue:** 25 May 2018  
**Date of latest issue:** 17 September 2024  
**Update History:**

Version 1	First issue of a new Privacy Notice
Version 1.1	Minor amendment to existing Privacy Notice (Who will see your data?)
Version 1.2	Minor amendment to contact details of the Data Protection Officer Inclusion of legal articles to explain the legal basis for using information. Additional contact information for the ICO
Version 1.3	Updated to remove Community Panel section (will be covered by a separate PN). Minor amendments to how data will be stored and for how long.
Version 1.4	Updated the Transfer Overseas section, as survey and response data collected through our Survey Monkey account is now being stored in the EU Data Centre instead of the US.
Version 1.5	Transfer to new template. Update to ‘Retaining your personal data’ section to make it clearer, plus other minor updates.

Directorate: Resources  
Service: Customer Engagement and Transformation  
Team: Performance, Research and Risk (PRR)

## About the Organisation

The Council is the Data Controller. This means it is ultimately responsible for the data it holds about you.

Contact Address:

West Berkshire District Council  
Market Street  
Newbury  
Berkshire  
RG14 5LD

ICO Registration Number: **Z6825178**  
<https://ico.org.uk/ESDWebPages/Entry/Z6825178>

## The Data Protection Officer

Contact details for the Data Protection Officer at the Council can be found at:  
[www.westberks.gov.uk/dpofficer](http://www.westberks.gov.uk/dpofficer)

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## THE PERSONAL DATA WE HOLD ABOUT YOU

We may ask for information about you such as:

- Name
- Address

We will use this information to make sure you're entitled to take part in a consultation or engagement exercise, e.g., to check you live in West Berkshire.

We might also ask you your:

- Age
- Gender
- Household composition i.e., number of adults and children
- Ethnicity
- Disability, if applicable
- Sexual orientation
- Marital status
- Any other 'protected characteristic' defined in the Equality Act 2010 - <https://www.equalityhumanrights.com/en/equality-act>

We collect this for monitoring purposes, to make sure we are providing fair services to everyone and meeting the needs of different groups, and to provide context to your responses. It allows us to make informed and evidence-based decisions. The questions are optional, and you don't have to respond to them if you don't want to.

On occasion, we might also ask for your contact details (email and/or telephone number) so that we can follow up on any queries and/or invite you to participate in future consultation or engagement exercise on related topics. Again, the question is optional, and you don't have to respond to it.

We may also ask you if you wish to join West Berkshire Council's Community Panel (<https://www.westberks.gov.uk/community-engagement>) by initially providing your name and email address. If you decide to provide this information, then we will also ask you for additional information later, for example age and address. Personal data collected in association with joining the Community Panel is subject to a separate privacy notice - <https://www.westberks.gov.uk/pncommunitypanel-eu>

We often use an online survey tool called Survey Monkey (Momentive), which is managed by the PRR Team, to collect your responses to a consultation or engagement exercise. Once the survey closes, responses are downloaded by the PRR team and sent to the West Berkshire Council officer(s) responsible for the consultation or engagement exercise (who may potentially be from any service within the council). The details will be protected using up-to-date technical and organisational security measures. You can view Survey Monkey (Momentive)'s Privacy Policy and Security Statement here:

- <https://www.surveymonkey.com/mp/policy/privacy-policy/>
  - <https://www.surveymonkey.com/mp/policy/security>
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## SOURCE OF YOUR PERSONAL DATA

We collect the above information about you from the data you provide when participating in a consultation or engagement exercise.

## PURPOSE AND LEGAL BASIS FOR PROCESSING YOUR PERSONAL DATA

In accordance with the data protection laws, we need a "legal basis" for collecting and using information about you. There are a variety of different legal bases for using personal data which are set out in the data protection laws.

We have set out below the different purposes for which we collect and use your personal data, along with the legal basis we rely on to do so.

Why we use your information	Our legal basis for using your information
<p>The council runs consultation and engagement exercises in its capacity as a public body, in the public interest. Participation is completely voluntary, but for your voice to be heard and for us to make sure the consultation or engagement exercise is fair and not open to abuse, it might be necessary to collect and process some personal data. Some of the requirements to consult residents may be based in law, but this will depend on the topic and nature of the consultation.</p> <p>We will use your data to perform effective consultation and engagement exercises, and to allow us to make informed and evidence-based decisions.</p> <p>We will also use it to provide you with the service or information you have requested, for instance consultation and engagement notifications, newsletters or other correspondence.</p> <p>We will never use your data for anything other than the purposes we collect it for.</p> <p>Where a service or information request requires you to submit further personal information, a separate privacy notice will describe how we will use that data.</p>	<p><b>Consent: Article 6(1)(a) of the General Data Protection Regulations ("GDPR")</b> namely you have provided your consent for us to use your personal data in this way. If you do not wish the Council to process your personal data, it will be unable to establish a contract to provide the service for you.</p> <p>For the limited special category data that the Council is processing the Council is relying on Article 9 (2)(a) of the GDPR namely explicit consent to process your personal data as detailed in this notice.</p>

## SHARING YOUR PERSONAL DATA

Your data will be seen by

- The West Berkshire Council officer(s) responsible for the consultation or engagement exercise (who may potentially be from any service within the council)
- The Performance Research and Consultation (PRC) Manager, Principal PRC Officer, PRC Officer, Consultation and Engagement Officer, and/or Principal Performance, Research and Information Officer, who manage the collection of all West Berkshire Council's consultation and engagement via Survey Monkey.

We will not share your information with third parties unless you have given us permission to do so or we are required to do so by law, for example by court order or to prevent fraud or other crime.

Where a service or information request requires us to share your data with other parties, a separate privacy notice will describe who that is.

## RETAINING YOUR PERSONAL DATA

Your personal data will not be kept longer than necessary.

We often use an online survey tool called Survey Monkey (Momentive) to collect your responses to a consultation or engagement exercise. Data collected by this method will be deleted from Survey Monkey, by PRR officers, 90 days after the responses have been downloaded. Once deleted the data is no longer accessible by us via Survey Monkey. The deleted data is then permanently removed from the Momentive system by the provider within 60 days. Some residual copies of deleted data may remain on backup media up to 90 days after the deletion has occurred, at which point it will be overwritten.

The downloaded data may also be held on the Council's secure electronic systems by the West Berkshire Council officer(s) responsible for the consultation. You can check how long the Council will keep each type of data against our retention schedule ([www.westberks.gov.uk/retention](http://www.westberks.gov.uk/retention)).

## YOUR RIGHTS

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
  - **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
  - **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal
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information where you have exercised your right to object to processing (see below).

- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.
- **Withdraw consent** to the processing of your personal data at any time, where processing is based on your consent. To withdraw your consent, please contact our Data Protection Officer using the contact details below. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

## HOW TO MAKE A REQUEST

If you wish to make a request associated with any of the rights listed above, contact the Council using the contact details at the top of this notice.

## INTERNATIONAL TRANSFERS

As an international company, Momentive have Data Centres in the United States, Canada, and Ireland (EU). Your response to a WBC consultation or engagement exercise, collected via Survey Monkey (Momentive), is held in their EU Data Centre in Ireland.

(<https://help.surveymonkey.com/en/policy/surveymonkey-data/>)

## COMPLAINTS

If you consider that your personal data has been misused or mishandled, you may make a complaint to the Information Commissioner, who is an independent regulator. Further information can be found at: <https://ico.org.uk/make-a-complaint/your-personal-information-concerns/>

The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
0303 123 1113

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Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)

Any complaint to the Information Commissioner is without prejudice to your right to seek redress through the courts.

## **CHANGES TO THIS PRIVACY NOTICE**

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.