

# 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. We will use this information to monitor, review and evaluate safeguarding policies and procedures, to ensure the maximum effectiveness of safeguarding the children in your care.

This notice applies to information obtained from you about your Early Years Education Setting(s) to fulfil our statutory functions around the provision of early education and childcare including early years education funding, setting the standards for learning, development, and care for children. 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.

Date of Issue: 23/01/2025

Update History:

23/01/2025	First issue of a new Privacy Notice

Directorate: People

Service: Education

Team: Early Years

## About the Organisation

West Berkshire 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)

## **THE PERSONAL DATA WE HOLD ABOUT YOU**

We will process the following personal data about you/your setting:

- Setting Name
- Setting Address
- Name of Registered Person/Body
- Ofsted URN
- Provider email address
- Contact information for person completing survey

These details are collected and held on the council's database and will be protected using up-to-date technical and organisational security measures.

## **SOURCE OF YOUR PERSONAL DATA**

We collect the above information about you from the data you enter when completing the safeguarding audit.

## **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>This audit must be completed and returned by ALL Ofsted registered settings, as part of their responsibilities of Berkshire West Safeguarding Children Partnership.</p> <p>The audit should be used to monitor, review and evaluate safeguarding policies and procedures, to ensure the maximum effectiveness of safeguarding the children in your care. The more honest you are when completing the audit, the more useful this audit will be in ensuring you are meeting the safeguarding requirements.</p> <p>Personal data collected on this audit is used to ensure providers are compliant with appropriate safeguarding procedures</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>Public Task:</b> Article 6(1)(e) of the GDPR namely the processing is necessary for the performance of a task carried out in the public interest.</p> <p><b>Section 11 of the Children’s Act 2004:</b> Section 11 of the 2004 Children Act sets out the provision for Local Children Safeguarding Partnerships to undertake a self-assessment audit of how organisations and services are meeting standards to safeguard children and young people.</p>

### SHARING YOUR PERSONAL DATA

Your data will be seen by employees of the Council relevant to the service or information request you have made.

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

We may share your personal data with third parties where it is necessary for the delivery of the service.

We may also share your data if we are required to do so by law, for example by court order or to prevent fraud or other crime.

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.

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))

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## 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 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 [www.westberks.gov.uk/dpofficer](http://www.westberks.gov.uk/dpofficer). 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/>

The Information Commissioner can be contacted at:

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

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.