

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 collected under the Flood Investigation Survey. We will use this information to undertake our responsibilities under the Flood and Water Management Act 2010 (Section 19).

Date of Issue: 7th February 2024

Directorate: Place
Service: Environment Services

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:
<http://info.westberks.gov.uk/dpofficer>

THE PERSONAL DATA WE HOLD ABOUT YOU

We will process the following personal data about you:

- Name
- Contact Details
- Address
- Flood details

We will use this information in relation to this Council's requirement to comply with the Flood and Water Management Act 2010. The data collected will allow us to make informed and evidence based decisions.

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
We will use the data provided to support our work in relation to writing reports including making recommendations in order to reduce and mitigate where possible flooding in the future.	This is a requirement under the Flood and Water Management Act 2010 and the Council is relying on GDPR article 6 (1) (E) namely processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Who will see your data?

The West Berkshire Council officer(s) responsible for the Flood and Water Management Act 2010.

The property addresses will be shared with the Environment Agency.

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.

RETAINING YOUR PERSONAL DATA

How long will your data be kept?

Your data will not be kept any longer than necessary.

We 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 WBC officers, 90 days after the responses have been downloaded. Once deleted from our account, the survey or data is no longer accessible by us, and 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. (<https://help.surveymonkey.com/en/policy/surveymonkey-data/>)

Data is also held on the council's electronic systems, and you can check how long we will keep each type of data against West Berkshire Council's retention schedule (www.westberks.gov.uk/retention).

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How is your data stored and processed?

Your responses to a consultation or engagement exercise, collected via Survey Monkey (Momentive), and stored by Momentive are subject to their Privacy Policy and Security Statement. You can view them by visiting:

- <https://www.surveymonkey.com/mp/policy/privacy-policy/>
- <https://www.surveymonkey.com/mp/policy/security/>

Data held on the council's electronic systems will be protected using up-to-date technical and organisational security measures.

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.

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

Your personal data will not be processed outside the UK or by an international organisation.

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

Email: 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.
