

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 during any consultation relating to a Traffic Regulation Order. We will use this information to contact you if you object to a proposed Traffic Regulation Order, to answer any questions or to provide you with information about the outcome of the consultation.

This notice applies to any individual who takes part in a consultation .. 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: 09/05/2025

Update History:

21/11/2024	First issue of a new Traffic Regulation Order Privacy Notice
25/03/2025	Updated to include details of the use of Survey Monkey to collect consultation responses.
09/05/2025	Final review including DPO comments.

Directorate: Place
Service: Environment
Team: Traffic and Road Safety

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:
<https://www.westberks.gov.uk/dpofficer>

THE PERSONAL DATA WE HOLD ABOUT YOU

We will process the following personal data about you:

- Status (e.g., whether you are a resident of West Berkshire, a business owner, a councillor)
- Name
- Email
- Address
- Feedback on consultations
- Details of complaints (where applicable)

We often use an online survey tool called Survey Monkey (Momentive), which is managed by the PRR Team, to collect your responses to a consultations.

Once the survey closes, responses are downloaded by the PRR team and sent to the West Berkshire Council officer(s) responsible for the consultation (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>

SOURCE OF YOUR PERSONAL DATA

We collect the above information about you from the data you enter when you respond to or make an objection or raise a query as part of any consultation for any proposed Traffic Regulation Orders.

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>We will use your data to identify genuine objections to our proposed Traffic Regulation Orders.</p> <p>To enable us to reply/ update those that have raised community concerns.</p> <p>Ensure any investigative work is not duplicated.</p>	<p>Public Task: Article 6(1)(e) of the UK GDPR namely the processing is necessary for the performance of a task carried out in the public interest.</p> <p>The Council is required to collect personal information in line with requirements under The Local Authorities' Traffic Orders</p>

Why we use your information	Our legal basis for using your information
<p>The necessary partners / stakeholders are fully aware of requests received.</p> <p>We collect contact details so that we can follow up on any objections made as a response as part of the consultation relating to proposed Traffic Regulation Orders.</p> <p>We will contact you if you have objected to a proposal under a consultation or to answer any questions you might have or to provide you with information of the outcome of the consultation.</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>Comments only are to be included in the Individual Decision Process so as the Portfolio Holder for Environment and Highways can decide the outcome. No other personal information is included within the Individual Decision Process. The ID report is published on the Council's website and will include comments, but no names or other information relating to you will be published.</p>	<p>(Procedure) (England and Wales) Regulations 1996.</p> <p>The Council does not specifically collect special category data in relation to the consultations, however it is possible that as part of your response information of this nature may be included. If you do supply sensitive personal information in your response (for example, information about your health or disability) then the Council relies on the following legal basis: Article (9)(2)(g) of the UK GDPR– processing is necessary for substantial public interest (statutory purpose).</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.

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.

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

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. 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).

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

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.
