

Privacy Notice

PURPOSE OF THIS 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 garden waste subscription service (the “**Service**”).

This notice applies to potential, current and former customers of the Service and those we have contacted but have opted not to partake in 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.

Date of Issue: 23 July 2018

Update History:

23 July 2018	First issue of a new Privacy Notice
31 May 2019	Review for second year of the scheme – specified payment address and subscription address
20 July 2020	Review for third year of the scheme – clarification of legal basis for processing, added information about third party processors for renewal emails and payment processing.
June 2021	Review for fourth year of the Service – added information about the way our third party processors Civica, Granicus and Veolia handle the data. Updated link to the records retention schedule. Updated Data Protection Officer details.

Directorate: Place
Department: Environment
Team: Waste

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:

- Full name and contact details (phone number and email address)
- Subscription household address
- Payment details – this includes details of the associated address for card payments or direct debits

These details are collected and entered in a garden waste collection electronic database. Your data will be held on the Council's electronic database designed for staff use only 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 on-line forms you complete when you sign up for the Service.

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 bases we rely on to do so.

Why we use your information	Our legal basis for using your information
<ul style="list-style-type: none">• Contact you with specific information about your subscription to the garden waste collection service• Process/renew your direct debit mandate or card payment• Confirm you have paid for the service• Deliver any bins, or other material related to the subscription, to your address• Add your address to the collection crews' schedules• Send a renewal email or letter• Send you information about waste and recycling or other services provided by the Council (only if you have opted-in to receive this)• Sharing your personal data with contractors, as set out below, so that the Council can provide the Service. Only data that is relevant to the particular function the contractor is performing is shared.	<p>Performance of a contract: Article 6b of the General Data Protection Regulations ("GDPR") namely processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract. In particular, to enacting a contractual agreement between householders and the council in order to arrange for the collection of garden waste as part of a subscription service.</p> <p>Public Task: Article 6e of the GDPR namely the processing is necessary for the performance of a task carried out in the public interest.</p>

Why we use your information	Our legal basis for using your information
	<p>Consent: Where 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>

SHARING YOUR PERSONAL DATA

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

Some "third parties" are service providers (including contractors) carrying out activities on our behalf. Other third parties will be data controllers in their own right. This means that they are not required to act on our instructions and they are solely responsible for ensuring that they comply with the law when using your personal data. We are not responsible for their use of your data if we are acting lawfully whenever we share your data with them.

The third parties we will share your personal data with are set out below: -

- **Veolia** (<https://www.veolia.com/en>) solely for the purposes of delivering any green bins required, or other material related to the subscription, to your address and adding your address to the collection crews' schedules in order to provide you with the Service.
- **Granicus (GovDelivery)** (<https://granicus.com/solution/govdelivery/>) Near the time when your subscription ends, the Council will contact you using your provided details through a system provided by a partner firm e.g. Granicus (GovDelivery) to ask if you wish to arrange a re-subscription to the service or to confirm your subscription requirements for the purposes of adjusting your Direct Debit payment. Granicus (GovDelivery) use your email address to deliver messages to you on behalf of the Council and for internal auditing, diagnostic, support, and troubleshooting purposes. Your data will only be used for this purpose within the partner firm's database and not retained for any longer than is required. If you end your subscription, Granicus (GovDelivery) will delete your data and it will not be shared onwards with any other third party.
- **Bottomline** (<https://www.bottomline.com/uk>) solely for the purposes of processing direct debit payments.

Data held by Bottomline is held securely in the UK and purely used to maintain the payment process and is not retained, transferred or repurposed.

- **Permiserv** (<https://permiserv.com/>) solely for the purpose of creating and dispatching subscription stickers to go on the green bin to allow operatives to identify those customers who have subscribed.

Data is held securely by Permiserv for a period of 18 months on their databases, and does not leave the UK.

- **Civica** (<https://www.civica.com/en-gb/>) solely for the purpose of processing card payments.

Your data will be held on a secure service operated by Civica called E-pay. It will be protected using up-to-date technical and organisational security measures, including accreditation to PCI and PADSS, ISO 27001, ISO 9001, ISO 23001 and ISO 22301, and training programmes for staff in the requirements of data protection.

If you subscribe to the Service, we will record the date of the payment and the method of payment.

Your data will not be shared with any third party not involved in the provision of the Service unless we are required to do so by law, for example by court order or to prevent fraud or other crime.

Personal data shared with third parties will be stored on their IT infrastructure and may also be shared with their data processors.

RETAINING YOUR PERSONAL DATA

Your personal data will be stored securely by us for a maximum period of 6 years.

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.
- **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

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

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. The Information Commissioner can be contacted at:

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

Complete the online form: <https://ico.org.uk/make-a-complaint/your-personal-information-concerns/> 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 details if there are any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

END