

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 for the **Homes for Ukraine Scheme**. It is written in accordance with the UK data protection legislation.

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 first Issue: 23 June 2022

Date of latest issue:

Update History:

Version 1	First issue of a new Privacy Notice
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Directorate: Place
Service: Public Protection
Team: Ukraine Support Hub

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 for West Berkshire Council can be found at: <https://info.westberks.gov.uk/dataprotection>

The Personal Data We Hold About You

We currently collect and process the following personal data:

- Sponsor information:
 - Name
 - Address and postcode
 - Email
 - Date of birth
 - Gender
 - Phone numbers
 - Financial details

- Guest information:
 - Name
 - Accommodation address and postcode
 - Email
 - Date of birth
 - Phone numbers
 - Nationality

We also collect the following special category information:

- Sponsor special category information:
 - Criminal allegations convictions or offences

- Guest special category information
 - Racial or ethnic origin
 - Health information

Criminal offence data will be processed under the 28 conditions of Schedule 1 of the Data Protection Act 2018 (<https://www.legislation.gov.uk/ukpga/2018/12/contents/enacted>) which are available for the processing of criminal offence data. These are set out in paragraphs 1 to 37. This information is processed as part of suitability checks.

These details are collected and held in a secure folder with limited access.

Source of Your Personal Data

We collect the above information about you from the data

We receive information directly, or indirectly, from the following sources:

- You as an individual by:
 - Our online form
 - Email
 - Telephone
 - In person

 - Department for levelling up, housing and communities
 - Disclosure and Barring service
 - Public Protection Partnership
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This will include details of West Berkshire residents who have applied to become a sponsor through the Homes for Ukraine scheme and where already matched, details of the guests.

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

The data received will be used to conduct suitability checks and for the administration of payments associated with the scheme.

The Council will undertake the following checks:

- Pre-arrival and post-arrival checks
- Accommodation checks
- Address validation checks
- Disclosure and Barring Service (dbs) checks
- Any other checks required by us to assess your suitability as a host

In addition to the checks above the Council will also:

- Provide support to Ukrainian guests and hosts (for example safeguarding, assistance in accessing public services, assistance in accessing education, health, employment and training and community integration)
- Administer funds associated with the scheme (for example sponsor and guest financial payments)

Our legal basis for using your information

Under the UK General Data Protection Regulation (UK GDPR) (<https://gdpr-info.eu/>), the lawful basis we rely on for processing the information is Article 6 UK GDPR:

- (a) Your consent
- (c) We have a legal obligation
- (e) We need it to perform a public task

Special category data

Special category data is being processed under Article 9 UK GDPR:

- (a) Your consent
- (g) Processing is necessary for reasons of substantial public interest
- (h) Processing is necessary for provision of health or social care treatment

You can read the guide to lawful basis for processing special category data on the Information Commissioner's Office website (<https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/special-category-data/>)

Your consent

Where we use consent to process your personal data, we will explain to you what we are asking you to agree to and why.

If we have consent to use your personal data, you have the right to remove it at any time.

If you want to remove your consent, please contact Ukraine@westberks.gov.uk and we will deal with your request.

If you remove your consent, we are unlikely to be able to provide continued services to you.

Legal obligation and public tasks

The public tasks we carry out, and the legal obligations we are subject to, are found in the:

- Immigration and Asylum Act 1999
(<https://www.legislation.gov.uk/ukpga/1999/33/contents>)
 - Welfare Reform and Work Act 2016
(<https://www.legislation.gov.uk/ukpga/2016/7/contents>)
 - Children and Families Act 2014
(<https://www.legislation.gov.uk/ukpga/2014/6/contents/enacted>)
 - Children and Social Work Act 2017
(<https://www.legislation.gov.uk/ukpga/2017/16/contents/enacted>)
 - Children Act 1989
(<https://www.legislation.gov.uk/ukpga/1989/41/contents>)
 - Safeguarding Vulnerable Groups Act
(<https://www.legislation.gov.uk/ukpga/2006/47/contents>)
 - Health and Social Care Act 2012
(<https://www.legislation.gov.uk/ukpga/2012/7/contents>)
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Sharing Your Personal Data

Information held by the Council may be shared with the following organisations in order to undertake suitability checks, make payments, ensure wellbeing and provide access to relevant services:

- Adult Social Care
- Children's services
- Disclosure and Barring service
- Housing
- Public health
- Other Council departments, such as the payments teams, as necessary to provide the services outlined as part of the scheme
- Department for Levelling up, Housing and Communities
- Home Office
- Thames Valley Police
- Public Protection Partnership
- Royal Berkshire Fire and Rescue service, where consent is provided
- Other hosts where consent is provided
- Charities, where consent is provided
- Other organisations (including banks) as necessary to provide the services outlined as part of the scheme

We share the information in order to provide the services outlined above as part of the scheme:

- Safeguarding purposes including accommodation checks and doorstep visits
- Welfare support including the provision of initial essentials to the guest
- Host support network
- General administration including support payments

How We Store Your Personal Information

Your information is stored at the point of initial application on the government Palantir Foundry portal and will be protected using up-to-date technical and organisational security measures. It is securely stored by the Council on:

- Appropriate case management systems as required
- related revenues, benefits and finance systems

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

Retaining Your Personal Data

Your personal data will not be kept longer than necessary.

You can check how long the Council will keep each type of data against our retention schedule (www.westberks.gov.uk/retention).

For information transferred from central government, the retention period will be up to 2 years after closure of the scheme, as per Memorandum of Understanding (published by DLUHC).

For personal data held by the Council for its own functions, the retention period will be as set out in our retention and disposal schedule.

We will then delete or destroy your personal data where information is not required to be retained as part of our statutory obligations. Our access to the government portal will be removed.

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.

Transfer overseas

Momentive may store your data outside of the EU in North America. Companies in the US are considered as having "adequate" status for the purposes of Data Protection by the European Commission where they hold the "Privacy Shield" accreditation (<https://www.privacyshield.gov/welcome>). Momentive holds such an accreditation, so your rights are protected. To read about "adequacy decisions" visit:

- https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries_en

Your data protection rights

Under data protection law, you have rights we need to make you aware of. The rights available to you depend on our reason for processing your information.

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).
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- **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.

Service Adjustments

As a public authority and a provider of services to the public, we have a legal duty to comply with the Equality Act 2010.

This means we need to make service adjustments for anyone with a disability who contacts us in any capacity, to eliminate any barriers to accessing our services.

Our lawful basis for processing this information is article 6(1)(c) of the UK GDPR as we have a legal obligation to provide this. Our processing of special category data, such as health information you give us, will be based on article 9(2)(a), which means we need your consent.

We will create a record of your adjustment requirements. These will give your name, contact details and type of adjustment required, along with a brief description of why it is required. Relevant staff can access this to make sure they are communicating with you in the required way.

Please contact Ukraine@westberks.gov.uk should you require service adjustments.

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 can complain to the Information Commissioner's Office (the ICO), who is an independent regulator. It's easiest to do this online via the ICO website (<https://ico.org.uk/make-a-complaint/>), but you can also do so in writing to:

The Information Commissioner's Office:
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Or email at casework@ico.org.uk

Further information can be found at: <https://ico.org.uk/make-a-complaint/your-personal-information-concerns/>

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.

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