

# Privacy Notice

This document describes how and why we collect, store, protect, process and share the data you give to us.

We collect personal data to help us to investigate and provide responses to complaints about breaches of the relevant Code of Conduct by District, Town and Parish Councillors

Date of Issue: 24 May 2018

Update History:

Version 1	First issue of a new Privacy Notice
Version 1.1 13 April 2022	Minor amendment to contact details of the Data Protection Officer

Directorate: Resources  
Service: Strategic Support  
Team: Democratic and Electoral Services

## 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 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)

## What data will we collect about you?

In order to process your complaint, we will need to collect:

- Your name

- Your contact details (email, telephone number, postal address)
- Details of your complaint
- Your role (for instance, whether you are complaining as a member of the public, a Monitoring Officer, a Local Authority employee or an elected councillor)
- Other supporting information which will assist in investigating your complaint

### **What will we use your data for?**

We only use the data you give us to review and (if appropriate) investigate and provide a response to the complaint.

We need to know your role in making the complaint as this will affect how we investigate, if it proves appropriate, and may have an influence on whether we can accept your complaint anonymously.

### **Who will see your data?**

Your data will be seen by:

- the Council's Monitoring Officer (or their deputies)
- the Council's Independent Person/s (a person not a member or officer of the authority appointed under section 28 of the Localism Act 2011)
- the person who has been complained about (unless the Monitoring Officer has granted permission for their identity to remain confidential)
- the Democratic and Electoral Services Manager (or their Deputy) and
- if appropriate, by an Independent Investigator and Members of the Governance and Ethics Committee and its Advisory Panel if a breach of the Code of Conduct is identified

If an investigation is undertaken and a breach of the Code of Conduct is identified some of your data and the complaint itself will be included in the report that is presented to the Advisory Panel and the Governance and Ethics Committee.

The data we collect may be referred to the Director of Public Prosecution or the police where it is suspected that some form of criminal conduct has occurred in relation to interests that have not been disclosed.

### **Why do we do this?**

The Council is required to provide the means for investigating and responding to complaints made against elected members under the Localism Act 2011. The data you give to the Council to investigate complaints is processed in the interests of discharging this duty.

In the interests of fairness and in compliance with the rules of natural justice, District, Town and Parish Councillors who are complained about have a right to know who has made the complaint and what the complaint is about.

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Complainants can request that their identity is not revealed, and the Monitoring Officer, in consultation with the Independent Person, will review this request. Requests for anonymity

will be considered on a case-by-case basis and may be accepted, but usually only in exceptional circumstances.

### **How long will your data will be kept?**

Your data will not be kept any longer than necessary. You can check how long the organisation will keep each type of data against West Berkshire Council's retention schedule ([www.westberks.gov.uk/retention](http://www.westberks.gov.uk/retention) ).

### **How is your data stored and processed?**

Your data will be held on electronic databases and networked storage with restricted access, and will be protected from unauthorised access using up-to-date technical and organisational security measures.

### **Transfer overseas**

Your data will not be stored or sent outside of the UK.

### **Your rights**

You have a number of rights when it comes to the data we hold about you. These are detailed on our request form ([www.westberks.gov.uk/dprequest](http://www.westberks.gov.uk/dprequest)) that also allows you to make a request for us to take action about something.

### **Complaints**

If you've already told us we need to do something, but we haven't responded in a way you're satisfied with, you can complain to the Information Commissioner's Office (the ICO). It's easiest to do this online via the ICO website (<https://ico.org.uk/concerns/handling/> ), but you can also do so in writing to:

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

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