



Privacy Notice

South Hams District Council and West Devon Borough Council (“The Councils”) take your privacy seriously. We will use your information in order to undertake consultation in relation to Neighbourhood Planning. This notice sets out what we will do with your personal information and who we may share it with in respect of the above.

What information about you do we collect?

We collect the following information:

- Basic details about you such as your address, telephone number and email address
- Details of representations you have made during periods of any Neighbourhood Plan consultations
- Details such as signatures, personal telephone numbers and personal email addresses are redacted before being published on the website.

How do we collect information about you?

Relevant personal data will be collected:

- Personal data will be collected directly from the data subject at the point you make a representation.

How will your personal data be used?

Your personal data will be used in the following ways:

- When you submit a representation to us as part of a neighbourhood plan consultation these are kept as part of the public record. We have a statutory duty to make them available for any member of the public to see on this website. This includes documents and consultation responses received in paper format, which we scan and keep electronically.
- To tell you if your representations lead to further queries from the examiner as part of the plan making process

The Legal basis for processing your data

The Councils are processing this personal data as it is necessary for compliance with a legal obligation to which the Controller is subject under The Neighbourhood Planning (General) Regulation 2021. This is in accordance with Article 6 1(c) of the General Data Protection Regulation 2018.



Planning legislation and regulations (the Town and Country Planning Act 1990, Planning and Compulsory Purchase Act 2004 and the Neighbourhood Planning Regulations 2015) require the Councils to make publicly available the details of representations submitted as part of a neighbourhood plan consultation.

Who will your personal data be shared with?

- The parish council producing the Neighbourhood Plan to which you have commented on
- The examiner appointed to assess the Neighbourhood Plan in accordance with the regulation.

We will not normally share your information with organisations without your consent. However, there may be certain circumstances where we would share without consent such as where we are required to do so by law, to safeguard public safety, and in risk of harm or emergency situations. We will only share the minimum information for the purpose, on a need to know basis and with appropriate individuals.

The Councils will never sell your data to anyone else.

Transferring of data outside of the EU

Your data will not be transferred outside of the EU. It will be securely stored electronically within the UK only, unless it was necessary for safeguarding or for the prevention and detection of crime.

Length of time we keep your information

The Councils will retain personal data for the minimum period necessary. This will be three years after adoption of the Neighbourhood Plan to ensure any legal challenge periods have expired. All information will be held securely and destroyed under confidential conditions.

Individual rights

You have a number of rights under the General Data Protection Regulations. These can be found on the ICO website <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>.

If you would like to exercise any of these rights, please email data.protection@swdevon.gov.uk.

The Data Controller for your information

The Data Controllers for this information are South Hams District Council, Follaton House, Plymouth Road, Totnes, Devon TQ9 5NE and West Devon Borough Council, Kilworthy Park, Drake Road, Tavistock, Devon PL19 0BZ.

Data Protection Officer

The Councils have a duty to appoint a Data Protection Officer. The Council's Data Protection Officer is Drew Powell, South Hams District Council/West Devon Borough Council, Follaton House, Plymouth Road, Totnes, Devon TQ9 5NE



If you have any queries about our privacy notices or would like to exercise your data rights or make a complaint, please contact the Data Protection Officer by emailing data.protection@swdevon.gov.uk, telephoning 01803 861234 or writing to them at Data Protection Officer, South Hams District Council/West Devon Borough Council, Follaton House, Plymouth Road, Totnes, Devon TQ9 5NE

If you are not happy with how we have handled your complaint, you have the right to contact the Information Commissioner's Office to raise your concerns about how we have processed your information or how we have responded to your request to exercise any of your rights in relation to your information:

- Telephone them on 0303 123 1113
- Visit their website at www.ico.org.uk/concerns
- Write to them at:
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5A