

Privacy Notice – Brent Local Plan Examination 2020

This notice relates to the management of, the Brent (the council) Local Plan 2020 - 2041 Examination Hearing meetings which are being held in a virtual environment due to the Covid-19 pandemic.

This privacy notice explains how the council collects, uses and shares your personal data, and your rights in relation to the personal data we hold. The Council is one of the data controllers for your personal data. This means that we are responsible for deciding how we hold and use personal information about you. The council is registered with the Information Commissioner. We are required under data protection legislation to notify you of the information set out in this privacy notice.

The other data controller for your personal data is Zoom, as we will be using their software as a platform to host the meetings. Zoom is a USA based controller and therefore have different data control requirements. Their privacy statement can be found here: <https://zoom.us/privacy-and-legal>

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

What Information do we collect?

If you would like to participate in the hearing meetings, the Programme Officer will ask you for your:

- Name;
- email address, and;
- telephone number.

We collect personal information about you by email, in writing or by telephone contact before the meetings in order to manage your participation. The meeting itself is held within the Zoom Video Conferencing software held by the Planning Inspectorate. For more information on the arrangement between the Council and the Planning Inspectorate please see appendix A to this notice.

How will we use your data?

Your contact details will be used by the Programme Officer for the purpose of managing your request to participate in the meetings and facilitate your taking part.

When would we process your data?

We must have a lawful basis for processing your information. The lawful processing of personal information is sometimes necessary for the Council to perform a task in the public interest or for its official functions, and the task or function has a clear basis in law. This is required by Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and Section 20 of the Planning and Compulsory Purchase Act 2004. Please note, there is no statutory obligation on an interested party to participate in the examination hearings.

The situations in which we will process your personal information are as follows:

- To invite you to participate or observe in a Hearing meeting

Your personal information will also be processed by The Planning Inspectorate for the purposes of conducting the examination through hosting a specific Virtual Hearing (Local Plan Event). They have produced their own privacy notice with regards to the use of any personal information. This can be found [here](#).

Who will your data be shared with?

We will only share your personal data with third parties where required by law. All of the Council's third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal information for their own purposes and they may only process your personal information for specified purposes and in accordance with our instructions. For more information on our arrangement with the Planning Inspectorate please see Appendix A to this notice.

If you wish to participate in the meeting, then names and email addresses of those invited and participating may be viewable by others taking part in the meeting.

Using the platform Zoom to host the meetings will result in some information being shared with Zoom and processing outside the EEA. Further information can be found here: <https://zoom.us/privacy-and-legal>

How will the Council protect your personal data?

The Council is committed to safeguarding your personal data. Whenever you provide such information, we are legally obliged to use your information in line with all applicable laws concerning the protection of personal information, including the Data Protection Act 2018 and the General Data Protection Regulation 2018.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees and third parties who have a business need to process it. Third parties will only process your personal information on our instructions, and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breaches and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

How long is your data kept?

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Any information will be retained until the Council is satisfied that all requirements in adopting the new Local Plan have been satisfied.

What are your rights?

Under the Data Protection Laws, you have the following rights:

- to obtain access to, and have copies of, the personal data that we hold about you;
- to request us to correct the personal data we hold about you if it is incorrect;
- to request us to erase your personal data;
- to request us to restrict our data processing activities;
- to object, on grounds relating to your particular situation, to any of our particular processing activities where you feel this has a disproportionate impact on your rights.

Please note that the above rights are not absolute, and we may be entitled to refuse requests where exceptions apply.

How to exercise your data rights?

If you wish to exercise any of your rights, ask questions about data protection or raise concerns, please contact our Data Protection Officer using the following contact details:

- By Phone: 020 8937 1402
- By Email to: DPO@brent.gov.uk
- By Post to: Data Protection Officer, Brent Civic Centre, Engineers Way, Wembley Park, HA9 0FJ

If you are not content with the how we handle your information we would ask you to contact our Data Protection Officer to help you. However, you do also have the right to complain directly to the Information Commissioner at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

More information about the Information Commissioner is available at: <https://ico.org.uk>.

Changes to this Privacy Notice

This privacy notice may be updated from time to time. The date of the most recent versions will appear on this page (see version control). We encourage you to check our privacy notice from time to time to ensure you understand how your data will be used and to see any minor updates. If material changes are made to the privacy notice, for instance how we would like to use your personal data, we will provide a more prominent notice (including, for certain services, email notification or correspondence of privacy notice changes).

DOCUMENT VERSION CONTROL VERSION: 1

APPENDIX A – DATA SHARING BETWEEN THE PLANNING INSPECTORATE AND THE LONDON BOROUGH OF BRENT (THE COUNCIL)

The Planning Inspectorate (PINS) is an agency sponsored by the Ministry of Housing, Communities and Local Government. Their Inspectors are appointed by the Secretary of State for Housing, Communities and Local Government to carry out an independent examination of local plans which have been submitted.

The Council have submitted information to PINS in respect of their proposed Local Plan and are under a legal obligation to do so. This includes the representations that the Council has received on it, and this information is sent to the Inspector who conducts the examination of the Local Plan. During the examination, the Inspector will hear representations from the parties and consider any further written representations that are accepted during that examination. The London Borough of Brent, as the Local Planning Authority provides a Programme Officer to support the Inspector, and representations are exchanged between the Local Planning Authority and the Inspector through the Programme Officer.

The Council has in place a Service Level Agreement, which includes a Data Sharing Agreement, with PINS. The Council engages PINS as a data processor for the purposes of conducting the examination through hosting a specific Virtual Hearing (Local Plan Event). The Council as the data controller will exercise overall control over the purpose for which, and the way your personal data are processed. The Programme Officer will use the PINS platform for the purposes of the administration of attendance at the Virtual Hearing.

This data processing agreement will be for the duration of this specific examination only.