

Planning Policy Consultations - Privacy Policy

At South Oxfordshire and Vale of White Horse district councils, we understand the importance of ensuring that personal data is always treated lawfully and appropriately and that the rights of individuals are upheld.

You have a right to be informed about how and why your personal information is being processed. This document fulfils that obligation and provides specific information relating to how we collect, use and share the data collected through our planning policy consultations. For all other consultations, please refer to our General Consultation Privacy Policy.

The councils' data privacy pages, www.southoxon.gov.uk/south-oxfordshire-districtcouncil/about-the-council/privacy/privacy-policy/ and www.whitehorsedc.gov.uk/valeof-white-horse-district-council/about-the-council/privacy/privacy-policy/ set out our obligations under the Data Protection Act 2018 (incorporating the UK General Data Protection Regulation).

The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) and the Community Infrastructure Levy Regulations 2010 (as amended) set out our statutory planning requirements.

From time to time, we may appoint a third-party service provider to support our consultations. This can include undertaking consultations on our behalf using different methods to those stated below. The third parties will be required to comply with The Data Protection Act 2018 and UK GDPR. A specific privacy notice will be provided for third party consultations.

Data collection and purpose

Under the Data Protection Act 2018, the legal reason under which we process your data is your given consent.

We may need to collect personal data to enable you to respond to public consultations on planning policy (e.g. the Development Plan, including Local Plan and Neighbourhood Plans), Supplementary Planning Documents, Community Infrastructure Levy, and other planning guidance, strategies and proposals.

We may also use your personal data to keep you informed about planning policy consultations.

If you respond through our online surveys your IP address will be collected. If you respond from a personalised link to a survey that we have emailed to you, your response will be linked to your email address.

We may ask you to provide your:

- name
- postal address
- email address
- telephone number
- land ownership/interest in land

We may also ask you questions about your age, gender, ethnicity or whether you have a disability. We appreciate that it may seem unrelated or possibly intrusive when we ask these questions, however the information helps us to deliver fair and accessible services and to positively promote inclusion.

We also have a duty under the Equality Act 2010 to ensure that our consultations are accessible to all. All questions are optional, so if you do not feel comfortable providing the information, you can skip these questions. This data will be used for monitoring and reporting, and we will never publish the information in a way that could identify individuals.

Your comments and personal details

Comments will be processed and analysed by the council unless specified otherwise. Comments submitted by individuals may be made public (including online publication) alongside the individual's full name. No other contact details will be published.

Comments submitted by businesses or organisations may be made public (including online publication) alongside the name of the business or organisation provided.

Comments submitted on behalf of individuals/businesses may be made public (including online publication) alongside the full name of the individual/agent submitting the comments, together with the full name if the individual/business that the submission has been made on behalf of.

Your consultation response, alongside any data provided, is collected and stored securely using our consultation software provider "Smart Survey".

Smart Survey does not use the data received for any purpose other than carrying out this service for the councils. For further information please visit:

www.smartsurvey.co.uk/privacy-policy.

Data sharing

Where there is a statutory requirement to do so, for example at the submission stage of the Local Plan (Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)), your name, contact details and comments will be shared with the Secretary of State, a Planning Inspector appointed by the Secretary of State to carry out the examination, and a Programme Officer. A Programme Officer acts as an independent point of contact between the council, Inspector and respondents. The Programme Officer and/or the council may contact you with relevant updates on the plan, or to invite you to discuss your comments at a public examination.

We may share the information in your submissions with others involved with Plan Making, such as Neighbourhood Plan Groups, where we have requested to do so, and you have indicated on your response form that you consent to this.

For neighbourhood planning consultations, your name, contact details and comments will be shared with an Examiner appointed by the council in consultation with the Qualifying Body (usually a Parish/Town council or relevant community group). Your comments will be considered by the planning Examiner as part of the independent examination of the plan. The Examiner and/or the council may contact you with relevant updates on the plan, or to invite you to discuss your comments at a public examination.

For Community Infrastructure Levy (CIL) Charging Schedule consultations, your name, contact details and comments will be shared with the Examiner and a Programme Officer appointed by the council. In line with the Community Infrastructure Levy Regulations 2010, you may be contacted by the Programme Officer (or where necessary the council) with relevant updates regarding the Examination or other aspects of the CIL Charging Schedule review.

Data retention

Your data will be stored securely by the council and, where necessary, the Planning Inspector/Examiner. It will be retained for up to six years after the relevant plan, document or strategy has been adopted. We will inform you if there is a statutory duty to retain the data for longer than this policy states.

Your rights

You have the right at any time to withdraw consent and also the right to ask for the information that we hold on you, to ask us to change information we hold about you if it is wrong, to ask that we suspend processing your data for a short while if appropriate and the right to request that your data is deleted unless we must keep it for legal reasons. If you wish to exercise these rights or raise concerns regarding this policy, please email the relevant council on foi@southoxon.gov.uk or foi@whitehorsedc.gov.uk.

If you believe we have not handled your personal data as we have described here, please either call 01235 422485 or email data.protection@southandvale.gov.uk and your concerns will be fully investigated. If, after we have investigated your concerns, you are not satisfied with our conclusion, you have the right to refer the matter to the Information Commissioner's Office (ICO), website: ico.org.uk. Contact details are as follows: Tel: 0303 123 1113 / Address: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

We reserve the right to update or revise this privacy notice at any time.

Last updated: 26 July 2023