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Planning Inspectorate

Guidance

Customer Privacy Notice

Updated 15 March 2021

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Purpose of this Privacy Notice

We are committed to ensuring that the personal data of our customers is handled in accordance with the principles set out in data protection laws.

This privacy notice reflects the requirements of the UK General Data Protection Regulation (GDPR) and Data Protection Act 2018 and covers all types of Planning Inspectorate Casework for England and Wales. On 1st October 2021 responsibility for the Planning Inspectorate's work in Wales will transfer to Welsh Government. This will be complemented by the transfer of customer records and once this transition has occurred the handling of customers' data will be in line with Welsh Government data handling and privacy policies.

It informs you about:

- the specifics of the personal data handling practices within the Planning Inspectorate and what you can expect the Planning Inspectorate to do with the information it collects
- what personal information we collect, how we collect it, use it, store it, share it, and dispose of it
- personal information provided as part of all Planning Inspectorate Casework that you can make, or comment on, or is provided by other Government Departments and Organisations using any of the Planning Inspectorate's Websites or other means
- how we process any personal information including special category data you have voluntarily provided to us relating directly to you or any other third-party individual's information you may have provided relating to your Planning Appeal via the Appeals Casework, Local Plans, Community Infrastructure Levy Schedules, Spatial Development Strategy, Nationally Significant Infrastructure Projects (NSIPs) and the Development of National Significance (DNS) Projects Websites

The Planning inspectorate handles a variety of casework types which are submitted via the websites below and a variety of other methods e.g. Post, Digital Transfer and Email.

- the Appeals Casework Portal handles a range of Planning and Enforcement Appeals (as documented in Annex A)
- the National Infrastructure Planning Website (as documented in Annex A)
- Developments of National Significance Website handles Applications and Examinations (as documented in Annex B)
- in certain specialist casework the Inspectorate will publish documents on the GOV.UK Website

It also provides information about our processing of personal information when dealing with complaints.

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Print this page

This Privacy Notice may be updated and/or re-issued at any time, and we will provide you with notice of any such updates via the GOV.UK and Planning Inspectorate's websites.

At our discretion, we may notify you by providing a 'just in time' notice to cover any additional processing activities not mentioned in this document.

Personal Data Definition

The UK GDPR and Data Protection Act 2018 applies to the processing of personal data relating to an individual (data subject) who is the identified or identifiable person to whom the personal data relates:

- when the data subject can be directly or indirectly identified from that information in combination with other information
- wholly or partly by automated means the processing other than by automated means of personal data which forms part of, or is intended to form part of, a filing system
- personal data only includes information relating to natural persons who can be Identified or who are identifiable, directly from the information in question
- information about individuals acting as sole traders, employees, partners, and company directors where they are individually identifiable, and the information relates to them as an individual may constitute personal data

It does not include:

- where the identity of participants has been removed (anonymised data)
- information about a deceased person
- companies or Public Authorities

There are "special categories" of personal data (SCD) (this was known as "sensitive personal data" in previous data protection law), these are more sensitive in nature and require specific handling under the legislation.

Policy commitment to openness and transparency

One of the fundamental values of the Planning Inspectorate is its commitment to openness and transparency in respect of our statutory role processing and deciding planning and all other related casework.

In many instances in particular planning processes there are obligations that require us to share the information that we receive, and in some instances for this to be made publicly available. We apply a general presumption in favour of disclosure, but individual decisions will take into account the statutory obligations on us, including under data protection legislation.

Data Controllers

The Ministry of Housing, Communities and Local Government (MHCLG) is the Data Controller for data protection purposes (the Planning Inspectorate is a "Executive Agency" of MHCLG). The Department's address is:

> Fry Building,
> 2 Marsham Street,
> London
> SW1P 4DF and our ICO Registration number is Z7123035.

The Welsh Government (WG) is the Data Controller for data protection purposes (the Planning Inspectorate is a "Executive Agency" of WG). The Department's address is

> Welsh Government,
> Cathays Park,
> Cardiff,
> CF10 3NQ.

The Planning Inspectorate is responsible for deciding how we collect, store, and process your personal information. This Privacy Notice explains in plain English how we collect, use, and share your data.

The Planning Inspectorate have appointed a Senior Data Protection Manager to oversee our compliance with data protection legislation. If you have any questions about this Privacy Notice or on how we handle your personal information, or believe we have not complied with your rights as a data subject, please contact the Senior Data Protection Manager (SDPM):

By email to data.protection@planninginspectorate.gov.uk or; In writing addressed to the

> Senior Data Protection Manager (SDPM) at:
> Temple Quay House,
> 2 The Square,
> Temple Quay,
> Bristol,
> BS1 6PN

MHCLG's Data Protection Officer (DPO) formally oversees data protection compliance for the Planning Inspectorate. You may also contact the Department's DPO:

By e-mail to dataprotection@communities.gov.uk, or;
In writing, addressed to the

> "Data Protection Officer" at:
> MHCLG Data Protection Officer,
> Ground Floor,
> Fry Building,
> Marsham Street,
> London,
> SW1P 4DF

How to make a complaint about the processing of your personal information

When we process your personal information, we will comply with the Data Protection Legislation/Regulations.

If you believe we have not complied with your rights as a data subject, or our obligations, and you are you are unhappy with the way the Planning Inspectorate processes your personal information or you have any questions about this Privacy Notice, or how we handle your personal information, please contact us at data.protection@planninginspectorate.gov.uk

Also for independent advice about data protection matters you have the right to escalate any complaint at any time to the Information Commissioner's Office (the UK supervisory authority for Data Protection issues) please see below for their postal address, contact telephone number and website link:

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

Telephone helpline number: 0303 123 1113
https://ico.org.uk/

1. Who are we?

The Planning Inspectorate is an executive agency, sponsored by the Ministry of Housing, Communities and Local Government (MHCLG) and, for casework in Wales, the Welsh Government.

- under data protection legislation, we operate through our sponsor and the Planning Inspectorate is responsible for deciding how we collect, store, and process your personal information
- the Planning Inspectorate deals with all aspects of planning appeals, national infrastructure planning applications, examinations of local plans and any other planning-related and specialist casework
- these are undertaken by the Planning Inspectorate or on behalf of relevant Secretaries of State' in England and Ministers in Wales
- for Community Infrastructure Levy Schedules (CILs), our Inspectors are appointed by the Charging Authority to examine their Charging Schedule

2. How do we collect personal information?

- you will have directly provided information to us, if you make or take part, in a planning appeal, application or examination as part of our planning processes
- you may also provide us indirectly with special category information where you are providing information regarding your personal circumstance (which may also include personal and special category of other data subjects) that you want to be considered within the planning processes
- Local Authorities (LAs) are normally required to provide us with relevant information relating to the case e.g. on a planning appeal they will send us the representations that they received at the planning application stage
- for Local Plans the Local Authorities (LA) submit information to us in respect of their proposed local plan or CIL schedule including the representations that they received on it
- during the examination, the Inspector will also hear oral representations from the parties and consider any further written representations that are accepted during that examination
- the LA will provide a programme officer to support the Inspector, and representations are exchanged between the LA and other participants in the examination and the Inspector through the programme officer
- other Government departments & agencies provide relevant information
- via our websites, e.g. connection data sent to our webserver by your browser when you connect to our website
- you wish to attend a Planning Inspectorate Webinar
- you have made a complaint or enquiry to the organisation
- you have made an information request to the organisation
- you wish to attend, or have attended, a planning event, inquiry or hearing either in person or at a virtual or blended virtual event. Specific information is collected for Virtual Events (VE) and Blended Events (BE) (See point 15 below for full details)

3. Why do we process your personal information?

The information provided to us is used to determine appeals, orders, applications and examinations.

ACP terms and conditions separately provide information about how we use personal information we may collect when and the types of personal data we may collect when carrying out our duties under the Town and Country Planning 1990 Legislation and other legislation in relation to other casework listed under Annex A (England Casework.)

The ACP terms and conditions separately provide information about how we use personal information if you register for an ACP account (link provided below in Point 17).

Appeals Casework Portal (ACP)

The information provided to us via the ACP is used to process Planning and Enforcement Appeals cases.

- the Planning Inspectorate will provide guidance to making and taking part in casework types and references to the statutory procedural rules that apply
- in accordance with the statutory rules, casework representations are normally copied to the appellant/applicant, the Local Authority (LA) and other statutory parties to the case
- the LA is also required to make the casework representations available to anyone who wishes to see them
- as they provide context to your representation and allow for the effective running of the case e.g. allowing parties with similar viewpoints to identify each other and agree joint presentation of views at any hearing or inquiry), the representations that we receive are normally exchanged between the parties without redaction of content or contact information, subject to the condition that the Planning Inspectorate determines that it is both necessary and proportionate to do so
- the information voluntarily provided can directly or indirectly include personal information about other individuals and can include special category data e.g. medical information of other parties (please see Special Category Data paragraph for further information). The Planning Inspectorate will only process such data where it is warranted and has the appropriate legal basis to do so
- please note that we do not accept anonymous or confidential representations, however, you may comment on a case and ask for your identity to be withheld
- if you request this then your representation will be copied to the parties and provided to the Inspector without your name and contact details, and your representation may be given less weight by the Inspector as a result
- in the event that you do not want to be identifiable from your representation you should avoid including information which may identify you

The appointed Inspector will consider the information provided in the representations and reach their decision. Their decision notice will provide the outcome for the case and their reasoning

The information we publish on the ACP

We publish summary details of cases which we process on the Appeals Casework Portal.

- the name of the appellant/applicant and the site address
- we also publish the Final decision
- we have a redaction policy and remove personal telephone numbers, email addresses and signatures, and also special category information (such as information about an individual's health)
- if you have concerns about the publication of your information, then you should discuss this with the Case Officer in the first instance before submitting your representation
- however, if you have further concerns relating to the processing or handling of your personal data please contact the Planning Inspectorate Senior Data Protection Manager (SDPM)
- although we may not publish every document or every case, we have a statutory obligation to copy representations to the relevant parties. The LA is obliged to make them available to anyone who may wish to see them so you may also want to check with them what information they publish

National Infrastructure Planning Website for Nationally Significant Infrastructure Projects (NSIP)

The information provided for NSIPs is used to assist the examination of applications under the Planning Act 2008 process. It provides information about the types of personal information the Planning Inspectorate may collect when carrying out our duties and responsibilities under the Planning Act 2008. It is important to note that The Planning Inspectorate has statutory functions and duties under the Planning Act 2008, its procedural rules and regulations which require us to:

- make certain documents and information widely available to other participants, which may include personal information, including making these publicly available
- we do this by publishing documents and information on the National Infrastructure Planning website
- if you have specific queries or concerns in respect of this processing of your personal data, then please contact the relevant case officer in the first instance to discuss the guidance and your concerns
- in accordance with Rule 21 of The Infrastructure Planning (Examination Procedure) Rules 2010, the Planning Inspectorate must make all Relevant Representations, Written Representations and other documents submitted in relation to the examination of an application available to the public
- under s39 of the Planning Act 2008 we are also required to make available to the public the documents comprising each application for development consent. In both cases this is achieved by publishing these documents on the National Infrastructure Planning website
- under section 51 of the Planning Act 2008 we are also required to publish any advice that we issue about applying for a Development Consent Order; and making a representation about an application for a Development Consent Order
- the Examining Authority will consider the information provided in all representations in the course of its examination and in preparing its Recommendation Report
- this report is sent to the Secretary of State, who takes the final decision on applications under the Planning Act 2008
- please note that we do not accept anonymous or confidential representations

The information that we publish online

The Planning Act 2008 and the statutory procedural rules and regulations require us to publish:

- application documents
- relevant Representations, Written Representations, and other documents on the

National Infrastructure Planning website

- these published records will include the name of the person that has submitted the document
- the Inspector or Inspectors appointed to carry out the examination of an application
- before publishing most documents, we redact (or 'blank out') certain personal details e.g. telephone numbers; addresses; email addresses; signatures and sensitive personal information (special category data)
- we also redact any content that we consider to be potentially libellous
- we don't redact any personal information in documents produced by applicants where this would hinder the effective examination of an application e.g. the Planning Inspectorate's carrying out of its public task. For example, certain documents that are published (e.g. the Book of Reference) include the names and addresses of Interested Parties because the land or rights of those Interested Parties would be affected by the Proposed Development
- we also publish the Examining Authority's Recommendation Report and the Secretary of State's decision usually without redaction but subject to our data protection obligations, both of which may contain personal information

Developments of National Significance Projects Website

It provides information about the types of personal information the Planning Inspectorate may collect when carrying out our duties for the Development of National Significance ("DNS") under Planning (Wales) Act 2015, which amends the Town and County Planning Act 1990 ("the Act"), the Developments of National Significance (Wales) Regulations 2016 (as amended) and subsequent Regulations which requires us to:

- make certain documents and information more widely available to other participants, which may include personal information, publicly available
- we do this by publishing documents and information on the National Infrastructure Planning website
- if you have specific queries or concerns in respect of this processing of your personal data, then please contact the relevant case officer in the first instance to discuss the guidance and your concerns

The Information we publish online

- application documents
- Relevant Representations, Written Representations, and other documents on the Developments of National Significance website
- these published records will include the name of the person that has submitted the document
- the Inspector or Inspectors appointed to carry out the examination of an application
- before publishing any documents, we redact (or 'blank out') certain personal details e.g. telephone numbers; addresses; email addresses; signatures and sensitive personal information (special category data)
- we also redact any content that we consider to be potentially libellous
- we don't redact any personal information in documents produced by applicants where this would hinder the effective examination of an application e.g. the Planning Inspectorate's carrying out of its public task. For example, certain documents that are published which includes the names and addresses of Interested Parties because the land or rights of those Interested Parties would be affected by the Proposed Development
- we also publish the Examining Authority's Recommendation Report and the decision of the Welsh Ministers, both of which may contain personal information

Alternatively where our sponsor departments are responsible for making the decision on the case, the Inspector will produce a report. The Inspectors report and the representations provided to them will then be sent to our sponsor department.

4. Under what Legal Basis do we process your personal information?

It is necessary for us to process your personal information to enable us to facilitate the planning process under the Town and Country Planning 1990, the Planning and Compulsory Purchase Act 2004, the Planning Act 2008, the Planning Act Wales 2015 and various other legislations e.g. Highway Act 1980, for all Planning Inspectorate Casework.

The lawful bases for processing are set out in Article 6 of the UK GDPR. The Planning

Inspectorate uses the lawful basis detailed in:

Article 6(1)(a)Where the customer has given their consent for the processing of their personal data for a specified purpose.

Article 6(1)(c) For the processing of written representations and documents, the lawful basis which relates to processing that is necessary for compliance with a legal obligation to which the Planning Inspectorate is subject.

Article 6(1)(e) For the processing required for the performance of a task carried out in the public interest or in exercise of official authority vested in the Planning Inspectorate

Article 9(2)(g) For the processing of Special Category Data the lawful basis is where the processing of special categories of personal data is necessary for reasons of substantial public interest. It also relates to our public task and the safeguarding of your fundamental rights, and Schedule 1 part 2(6) of the DPA2018 which relates to statutory and government.

5. What personal data we process?

We collect and process a range of information about you including:

- any and all Personal Information you voluntarily provide to us as part of one or more of the following processes: Planning Appeal, Nationally Significant Infrastructure Projects (NSIP) and Developments of National Significance (DNS) Projects and Specialist casework
- the information can directly or indirectly include personal information about other individuals and can include special category data e.g. medical information of other parties (please see Special Category Data paragraph below for further information)
- for Local Plans, Spatial Development Strategies (SDS) and CIL's the Planning Inspectorate will receive any personal information included in any documentation sent to us in connection with the Local Plan, SDS or CIL schedule examination by the LA or the programme officer appointed by the LA. Our Procedure Guide for Local Plan Examinations makes it clear that in order to take a representation into account Inspectors only require to know the name of any persons making the representation. The LA as the controller may or may not redact other personal information provided to us via the programme officer; they will also require the address, email address and/or telephone number of any persons making representations on the plan/CIL schedule in order to administer the examination
- your name
- address
- telephone Phone number (generally and if a participant in a virtual event who joins by mobile phone or landline phone)
- e-Mail address
- IP address
- display name
- self-Image – If video is shared
- electronic and hard copy correspondence
- application documents
- written submissions made by Interested Parties and others involved in the planning appeal process
- Video, Audio and Live streaming of virtual Planning Inspectorate events with will be published onto the relevant website
- written notes
- hard copies of information
- information provided by other Government Departments and Organisation's

Special Category Data

Special category data defined at Article 9 GDPR as personal data is:

- racial or ethnic origin
- political opinions
- religious or philosophical beliefs
- trade union membership
- genetic data
- biometric data for the purpose of uniquely identifying a natural person
- data concerning health or
- data concerning a natural person's sex life or sexual orientation

This does not include personal data about criminal allegations, proceedings or convictions, as separate rules apply. For further information, please see the Information Commissioners separate guidance on criminal offence data.

- the Planning Inspectorate will not routinely request special category data as part of our processing activities. However, these may be provided as part of the process. Please make sure that when you submit special category data it is necessary and relevant to the case
- for certain cases we may need to collect some special category data to the extent that this is relevant to the case. This could for example include or relate to information about status (family background, relationships, and dependents), business and livelihood, as well as accommodation, health and/or educational needs
- the information voluntarily provided can directly or indirectly include personal information about other individuals and can include special category data e.g. medical information of other parties. The Planning Inspectorate will only process such data where it is warranted and has the appropriate legal basis to do so. Please make sure it is necessary and relevant to the case when you provide it to the Planning Inspectorate We may process and store special categories of more sensitive personal information relating to any individual that is voluntarily provided by you as part of all the Planning Casework Process that you wish to be considered. e.g. Medical information relating to yourself, family member and in some instances a child. The personal information provided may be held on a computer system, or in a manual

record such as in a physical file.

6. What are the consequences of failing to provide information?

- if you fail to provide us with information required to validate your case then we may not be able to consider it. We will normally let you know if this applies
- there is no statutory obligation on interested parties to participate in a case
- if you are an appellant/agent and fail to provide the statutory information needed to validate your case within the set time periods, then we will not be able to consider your case and it may be deemed invalid
- if you are an applicant and you fail to provide the statutory information needed to consider your application, we may not be able to accept your application for Examination under s55 of the Planning Act 2008
- for Local Plans the Inspector is required to examine whether the plan is sound and legally compliant and in doing so they must consider any representations and other documentation submitted by the LA
- those participating in a local plan examination should note that their representations will be 'made available' by the LA in line with the Regulations including publication on the LA's website. As a Data Controller the LA may or may not redact some or all personal information included in representations and other documentation which is 'made available' To ensure an open and fair examination, it is important that the Inspector and all other participants in the examination process know who has made representations on the plan and the content of those representations
- there is no statutory obligation on an interested party to participate in a Local plan examination or to provide any particular information if they choose to not do so
- if you are another Interested Party and you fail to provide your name and/or the name of the organisation or group that you represent, we may be unable to accept your representation
- we do not accept anonymous or confidential representations for any types of Planning Inspectorate casework

7. Children's Information

The Planning Inspectorate do not provide services directly to children or proactively collect their personal information. However, we are sometimes voluntarily given information about children as part of the appeals, applications, orders & examination processes. This can include special category data provided in representations from all aspects of casework.

8. How long we keep your personal data?

We will retain our personal information only for as long as is necessary to deliver our services and to meet our legal and regulatory obligations. We maintain specific records management and retention policies and procedures, so that personal information is reviewed and deleted after a reasonable time with the following criteria:

- the purpose or business activity requiring the processing of your information
- whether we have any legal obligation to continue to process your information
- whether we have any legal basis under data protection law to continue to process your information (e.g. Public Task)
- any relevant agreed sector practices on how long information should be retained
- for the purpose of defending against legal and regulatory challenges

9. Who do we share your data with?

In accordance with the statutory rules and relevant guidance. Casework representations are normally copied to:

- Appellants/Applicants
- Interested Parties
- Local Authorities
- Local Authorities are also responsible to make the casework representations available to anyone who wishes to see them
- external Programme Officers

- members of the Public (Worldwide) when published on our Websites
- other Statutory Parties to the case
- other Statutory Parties such as external Regulators
- we provide your information to the relevant Secretary of State or Welsh Minister who make the final decision on the applications and appeals we examine via:
  - the Department for Business, Energy, and Industrial Strategy
  - the Department for Transport
  - the Department for Environment, Food and Rural Affairs and
  - the Ministry of Housing, Communities and Local Government
- for fairness to the other parties interested in a case, we need to share your representations as indicated above. It also provides context and allows for the effective running of our casework processes e.g. allowing parties with similar viewpoints to identify each other and agree joint presentation of views at any hearing or inquiry, the representations that we receive are therefore exchanged between the parties, subject to the condition that Planning Inspectorate determine that it is both necessary and proportionate, without redaction of content or contact information. We will treat your information in confidence if you request it, however you should be aware that your representation may be given less weight by the Inspector

The appointed Inspector or person will consider the information provided in the representations and reach their decision. Their decision notice will provide the outcome for the case and their reasoning for this.

Alternatively, where our sponsor departments MHCLG and Welsh Government and other Government Departments and Organisations are responsible for making the decision on the case, the Inspector will produce a recommendation report. The Inspector's report and the representations are provided to them.

In some circumstances, such as under a court order, we are legally obliged to share information. We may also need to share your personal information with:

- other government agencies, departments, and civil servants
- our or other legal representatives
- auditors, and
- regulators or to otherwise comply with the law

We may use third party service providers to process information (see Annex B for full list) on our behalf in respect of our casework e.g. the provision of information technology services). Where we do so, contracts will be put in place to ensure that your personal information is processed only as instructed by us (unless otherwise required by law), and that appropriate measures are in place to ensure the security of information.

Additionally, we are required under the Public Records Act 1958 (as amended) to transfer records to the National Archives (TNA) for permanent preservation. Some of these records may include the personal data of our customers.

Who will have access to your data?

We are committed to doing all that we can to keep your data secure. We have set up systems and processes to prevent unauthorised access or disclosure of your data e.g. we protect your data using varying levels of encryption, and relevant access controls are in place to effectively manage and handle your personal information.

Where third party service providers are used, contracts and or licences are put in place to ensure that your personal information is processed only as instructed by us (unless otherwise required by law), and that appropriate measures are in place to ensure the security of that information.

When making an appeal/application or commenting on any of our casework, you should keep in mind that in some instances there are statutory requirements on us to make this information more widely available.

This will normally be set out in our guidance, but if you have specific queries or concerns in respect of a particular case then please contact the case officer who, if necessary, will discuss the matter with the Planning Inspectorate's Senior Data Protection Manager.

10. Do we use any data processors?

Yes - a list of our current data processors is provided at Annex C.

11. Your rights in relation to this processing?

Under data protection law, you have rights regarding the processing of your personal data. The rights available to you depend on our reason for processing your information. You are not required to pay any charge for exercising your rights. We have one month to respond to you.

Your rights under GDPR are the right:

- to be informed
- of access
- to rectification
- to erasure
- to restrict processing
- to data portability
- to object
- rights in relation to automated decision making and profiling. (The Planning Inspectorate does not use automated decision making or profiling)

Not all of these rights are absolute, which means that they may only apply in certain situations and may be subject to legal exceptions and exemptions.

Further information regarding your rights can be found on the ICO Website.

12. Customer Feedback Surveys

Periodically Planning Inspectorate will conduct customer surveys to seek your feedback on the services we have provided. This is to help improve our services to you and your customer experience.

- most survey questions require quantitative responses however, some free text boxes may be included
- please DO NOT share identifiable information about yourself in these boxes if you wish to remain anonymous
- in instances, where the surveys may not be anonymous this will be clearly articulated in the survey documentation provided to you
- the data is only available to the Planning Inspectorate staff who are responsible for running and administrating the survey

We also collect, use, and share aggregated data internally and with other government departments such as statistical or demographic data. Aggregated data may be derived from your personal data but is not considered personal data in law as this data does not directly or indirectly identity you. For example, we may aggregate the survey data collected to carry out market research and statistical research. However, if we combine or connect aggregated data so that it can directly or indirectly identify you, we will treat the combined data as personal data which will be used in accordance with this privacy notice.

When appropriate we will also provide a ‘just in time’ privacy notice regarding specific surveys as required.

13. User Research

In instances where we conduct user research, we will obtain your consent, which means processing your data where we have obtained your freely given, specific, informed, and unambiguous consent. You can withdraw your consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent

- most survey questions require quantitative responses; however, some free text boxes may be included
- please DO NOT share identifiable information about yourself in these boxes if you wish to remain anonymous
- there will be instances when we use a third party to provide participants in the research being undertaken by the Planning Inspectorate, on these occasions you will be presented their privacy information in relation to that recruitment process
- all user research surveys are carried out by Planning Inspectorate staff or by third parties working on behalf of the Planning Inspectorate and you will be presented with a privacy notice as part of the user research survey process

We also collect, use, and share aggregated data internally and with other government departments such as statistical or demographic data. Aggregated data may be derived from your personal data but is not considered personal data in law as this data does not directly or indirectly identity you. For example, we may aggregate the survey data collected to carry out market research and statistical research. However, if we combine or connect aggregated data so that it can directly or indirectly identify you, we will treat the combined data as personal data which will be used in accordance with this privacy notice.

When appropriate we will also provide a 'just in time' privacy notice regarding specific surveys.

14. Accessibility

As a public authority and a provider of services to the public, we have a legal duty to comply with the Public Sector Bodies (Websites and Mobile Applications) (No 2 Accessibility Regulations 2018. We have a legal obligation to provide this.

In line with these regulations we have published an accessibility statement on our websites explaining our level of compliance.

15. What are Virtual Events (VE) & Blended Events (BE)?

The purpose of Virtual & Blended Events does not differ from normal procedures and remains the same for the Inspector to look at the evidence presented, and for interested parties to share their views.

A virtual event (VE) is one where there are no physical attendees. All attendees participate virtually, either through video conferencing or telephone.

A Blended Event (BE) is one where there may be a combination of physical attendees (in one or more locations) as well as a virtual element (where participants can join either through video conferencing or telephone). The two elements need not take place simultaneously but could potentially be staggered in time provided that the proceedings are broadcast and made accessible to those who cannot participate in one of the events.

What personal information will be collected at a Virtual & Blended Events?

How is it collected?

- e-mail address requested in event invite
- phone numbers - If the participant joins by phone, your phone number would be visible to all participants (this can be masked by the individual by turning off Caller ID, generally known as dialling 141) in which case a random number is displayed
- IP address - Connections to Microsoft Teams will capture the IP address of the participant
- display Name – This is collected from the participants joining details
- self-Image – This is collected when the participant activates their camera

What metadata will be taken from joining?

- IP Address, joining account information (Email address)
- browser Type (If browser is used instead of Teams App)

Where will it be stored?

- e-mail addresses
- phone numbers
- display Name and Self-Image (will be stored in the virtual meeting room, within Exchange Online, MS Stream (Video Recording)
- as appropriate will be transferred to an internal case management system
- IP Address and Metadata (Will be stored in the Audit Log)

Cookies

- the Planning Inspectorate does not use any of our own technology or storage for the creation and presentation, or collection of cookies or web beacon analytics
- cookies are collected by Microsoft, which is covered in their Privacy Statement

Recording /Live Streaming of Events hosted by the Planning Inspectorate

- the Planning Inspectorate will sometimes be required to record or live stream an event, especially if it is of significant public interest and to ensure access to and fairness of the process
- the recordings will be used for training and awareness in the first instance as well as for responding to potential challenge
- any Live Streams will be used to ensure public access to process and will be streamed using Planning Inspectorate approved software to the Planning Inspectorate approved hosting environment (YouTube for non-National Infrastructure Events or the National Infrastructure Portal)
- the Planning Inspectorate is the sole Data Controller for these recordings/livestreams

Third Party Recordings for Events not hosted by the Planning Inspectorate

- the Planning Inspectorate works with Local Authorities and other parties
- if these parties record/live stream these events/hearings, then this will be covered within their Privacy Notice
- the Planning Inspectorate may receive a copy of any such recording for processing which will be governed within relevant data sharing agreements for Joint Controllers, however, the third parties will remain responsible for the recordings/live streaming
- individuals or organisations other than the Planning Inspectorate or LA may undertake recording and/or live streaming of the hearing sessions
- in this instance the Planning Inspectorate is not involved in any aspect of the recording or live stream
- the Planning Inspectorate may receive a copy of any output however the data controller will remain the individual or organisation that organised the recording/live stream

Recordings/Live Streaming for Non-Inspectorate Organisations

- there are some events where applicant/appellants may organise recording and/or Live Streaming of an event
- in this instance the Planning Inspectorate is not involved in any aspect of the recording or Live Stream
- the Planning Inspectorate may receive a copy of any output however the Data Controller will remain the party that organised the recording/live stream

16. Registering to attend a Planning Inspectorate Webinar

- we collect personal information from you when you register to watch one of our webinars
- we will use this information to ensure you can join the webinar and provide follow up information in relation to the webinar such as joining instructions or post event evaluation
- any additional questions we ask is to provide insight in relation to the topic of the webinar. This information may be presented during the webinar and used to improve our services
- we may state your name during the webinar if you have submitted questions to ask in advance
- we use Microsoft Forms to collect the information we need to register you as an attendee and Microsoft Teams to run the webinar
- the content in Microsoft Forms, as well as end user information, remains in our direct control as administrator and end user
- Microsoft processes data on behalf of customers to provide the requested service as set out in its Online Services Terms

What data do we collect and how do we collect it?

When you sign up to take part in one of our webinars, we ask you for:

- full name
- email address
- organisation
- job title

When you join the webinar, we collect:

- phone number - if you join by phone, then your phone number would be visible to all participants (this can be masked by the individual by turning off Caller ID, generally known as dialling 141) in which case a random number is displayed. Phone numbers will be redacted from the published recording
- IP address – connections to Microsoft Teams will capture the IP address of the participant
- display name – this is collected from the participants joining details
- browser type - if browser is used instead of Teams App
- self-image (if video is shared)
- audio (if microphone is used)

What other data do we collect?

- we may ask you additional, non-personal questions in relation to the topic of the webinar.

Where will your data be stored?

- e-mail addresses, Phone numbers, Display Name and Self-Image will be stored in the virtual meeting room, within Exchange Online and MS Stream (Video Recording)
- IP Address and Metadata will be stored in the Audit Log
- your personal information will be retained no longer than 1 month after the webinar and is not shared with any third parties. The webinar will be held on Microsoft Teams

During a webinar, you will be able to stream your video and audio

- if you do not wish to be visible or audible, you will be able to disable your camera and/or mute your microphone
- we intend to take a recording of the webinar which we intend to publish on our social media channels
- members of the press may be present during a webinar and they may choose to use elements of the live webinar or recording for their own journalistic purposes after the event
- Microsoft Teams has a chat function, any comments you make during a webinar will be viewable during and after the event by participants. Chat comments will not be viewable in the recording

Do we use any data processors for Webinars?

- we use Microsoft Teams to deliver our webinars and live broadcast events
- we use YouTube to publish the recordings of some events

17. Registering for an Account for our Websites and Terms & Conditions Links

17.1 ACP users must create an account with us in order to submit appeals or any representations.

- registering with us will enable you to access our full range of appeals services, including a personal homepage
- also, the best way to comment on an existing case is to register with us first as that makes it easier to track cases and submit comments

Guest Log in Facility on the ACP

- we have a guest log in facility if you do wish to submit comments without creating an account; simply search for your case and click on the 'Make Representation' button

The ACP T&Cs

17.2 Nationally Significant Infrastructure Projects (NSIPs) & Developments of National Significance (DNS) participants do not require an account to access information on the website.

- if you wish to register an interest in any NSIP and/or DNS Project, you will be required to complete a registration form.
- if you wish to be notified of any ongoing progress of an application, you can subscribe to an email notification service.
- both the registration form and email notification requests are located on the relevant NSIP & DNS application page(s)

NSIP T&Cs

DNS T&Cs

National Infrastructure Submissions Portal

Interested Parties can now make written submissions to examinations through the National Infrastructure Planning website. If Interested Parties do not wish to, or cannot, use the portal to make written submissions they can also do so in the traditional way by emailing submissions to the relevant project email inbox. Any amendments in the processing of personal data will be reflected in an updated version of our Customer Privacy Notice.

18. Cookies

Cookies are small text files that are placed on your computer when you visit Planning Inspectorate websites. They are widely used in order to make websites work, or work more efficiently, as well as to provide information to the owners of the site.

19. Freedom of Information (FOIs) Requests, Subject Access Requests (SARs) and Environment Information Regulations Requests (EIRs)

The Planning Inspectorate is a public body and we have a legal duty to respond to requests made under these legislations. This will sometimes mean that your personal data could be used for the purpose of responding to these requests. In the event that you are an applicant making a request for information under one of these access regimes we will use your information for the purpose of complying with such a request. This will include information for the purpose of corresponding with you and in order to send our response. If you make a request for your own personal data (subject access request) we may also require evidence to verify your identity.

20. Annex A - Types of Casework undertaken by the Planning Inspectorate - England

A full list of Appeals, Applications, Examinations and Orders that this Privacy Notice covers: all types of Planning Inspectorate Casework.

Provided /Made Available via Website & Other Means	Casework Type	Purpose of Processing
Appeals Casework Portal (ACP) & Email/Post/External Parties	Appeals	Enforcement Listed Building Notice
Appeals Casework Portal (ACP) & Email/Post/External Parties	Appeals	Enforcement Conservation Area Notice
Appeals Casework Portal (ACP)	Appeals	Enforcement Notice
Appeals Casework Portal (ACP) & Email/Post/External Parties	Appeals	Enforcement Lawful Development Certificate
Appeals Casework Portal (ACP) & Email/Post/External Parties	Appeals	Planning Advert Discontinuance
Appeals Casework Portal (ACP)	Appeals	Planning Advertisement Appeal
Appeals Casework Portal (ACP)	Appeals S78	Planning Commercial Appeal Service (CAS)
Appeals Casework Portal (ACP) & Email/Post/External Parties	Appeals S78	Planning Householder Appeal Service (HAS)
Appeals Casework	Appeals S78	Prior Approval

Appeals Casework Portal (ACP) & Email/Post/External Parties	Appeals S78	Prior Approval
Appeals Casework Portal (ACP) & Email/Post/External Parties	Appeals S78	Planning Section 106 Agreement
Appeals Casework Portal (ACP) & Email/Post/External Parties	Appeals	Planning Listed Building Consent & Conservation Area Consent Appeal
Appeals Casework Portal (ACP) & Email/Post/External Parties	Appeals	Non-Validation Appeals
Appeals Casework Portal (ACP) & Email/Post/External Parties	Appeals S78	Planning Appeal (all procedures)
Appeals Casework Portal (ACP) & Email/Post/External Parties	Appeals	Specialist Purchase Notices
Appeals Casework Portal (ACP) & Email/Post/External Parties	Appeals	Sustainable Drainage System (SUDS) Appeals
Appeals Casework Portal (ACP) & Email/Post/External Parties	Appeals	TCPA screening process
Appeals Casework Portal (ACP) & Email/Post/External Parties	Appeals	TCPA EIA review process
Appeals Casework Portal (ACP) & Email/Post/ External Parties	Applications during the Inspectorate Processing	Cost Decisions
Email/Post/ External Parties	Appeals	Specialist High Hedges
Email/Post/ External Parties	Appeals	Specialist Tree Preservation Order
Email/Post/ External Parties	Appeals	Specialist Tree Replacement Notices
Email/Post/ External Parties	Appeals	HS2 Transport Appeal
Email/Post/ External Parties	Appeals	Environmental Permitting Regulations
Email/Post/ External Parties	Appeals	SSSI Appeals
Email/Post/ External Parties	Appeals	Contaminated Land
Email/Post/ External Parties	Appeals	Marine Licensing
Email/Post/ External Parties	Appeals	Waste Management
Email/Post/ External Parties	Appeals	Water Abstraction
Email/Post/ External Parties	Appeals	Hazardous Substances Appeals
Email/Post/ External Parties	Appeals	Notice Appeals
Email/Post/ External Parties	Appeals	Specialist Hedgerows
Email/Post/ External Parties	Appeals	Restriction Appeals
Email/Post/ External Parties	Appeals	Specialist Rights of Way - Schedule 14
National Infrastructure Planning Website(NIP) &	Applications	Application for a Development Consent Order (DCO)

Email/Post/ External Parties		
National Infrastructure Planning Website (NIP & Email/Post/ External Parties	Applications Direct to Secretary of State (SoS)	Application to make a Non-Material/ Material Change to a Development Consent Orders (DCO)
National Infrastructure Planning Website (NIP) & Email/Post/External Parties	Applications	Planning Act 2008 Transboundary Processes
National Infrastructure Planning Website (NIP) & Email/Post/ External Parties	Making an Application or Making a Representation about a DCO	Planning Act s51 Advice
Email/Post/ External Parties	Applications	Specialist Common Land under the below legislations: Commons Act 2006: Section 16, Commons Act 2006: Section 38, Commons Act 2006: Part 1, Acquisition of Land Act 1981: Section 19 and Schedule 1, National Trust Act 1971: Section 23, Greater London Parks & Open Spaces Order 1967, Approval of Commons Levy Rates, Section 15 of the New Parishes Measure 1943, Section 193 of the Law of Property Act 1925, Schemes of management under the Commons Act 1899, Section 9 of the Countryside Act 1968, Inclosure Acts, Various local Acts and Provisional Order Confirmation Acts (which includes levying of stint rates)
Email/Post/ External Parties	Applications	Specialist Rights of Way - Schedule 14 Directions
Email/Post/ External Parties	Applications	S36 Applications (Electricity Act 1989)
Email/Post/ External Parties	Applications - Recommendations	Drought Permits
Email/ Post /External Parties	Cost Applications for Withdrawn Casework	Costs Decisions
Email/Post/ External Parties	Applications (Appeals)	Planning Called in Planning Application
Email/Post/ External Parties	Applications	Specialist Necessary Wayleaves and Tree Lopping
Email/Post/ External Parties	Applications	Water Abstraction
Email/Post/ External Parties	Applications	Planning Act 2008 Scoping Process
Email/Post/ External Parties	Applications	Planning Act 2008 Screening process
Email/Post/ External Parties	Applications	Planning Act 2008 (Section 52) - Obtaining information about interests in land
Email/Post/ External Parties	Applications	Planning Act 2008 (Section 53) - Rights of Entry
Email/Post/ External Parties	Examinations	Water Resource Management Plans
Email/Post/ External Parties/Digital Transfer	Examinations	Local Plans
Email/Post/ External Parties/Digital Transfer	Examinations	Community Infrastructure Levy (CIL)
Email/Post/ External Parties/Digital Transfer	Examinations	Spatial Development Strategy
Email/Post/ External Parties	Orders	Harbour Revision Orders
Email/Post/ External Parties	Orders	Drought Orders
Email/Post/ External Parties	Orders	Transport & Works Act Orders
Email/Post/ External Parties	Orders	Highways Act Orders
Email/Post/ External Parties	Orders	Local Planning Authority (LPA) Traffic Regulation Orders

Email/Post/ External Parties	Orders	Local Planning Authority (LPA) London Boroughs Stopping Up Orders
Email/Post/ External Parties	Orders	Ferry and Bridge Toll Orders
Email/Post/ External Parties	Orders	Cycle Tracks Orders
Email/Post/ External Parties	Orders	Stopping Up Orders
Email/Post/ External Parties	Orders	Department for Transport (DfT) Compulsory Purchase Order (CPO)
Email/Post/ External Parties	Orders	Side Road Orders
Email/Post/ External Parties	Orders	Department for Environment, Food & Rural Affairs (DEFRA)Compulsory Purchase Order (CPO)
Email/Post/ External Parties	Orders	Review of Old Mineral Permissions (ROMPs) and ad-hoc Minerals
Email/Post/ External Parties	Orders	Adverts Secretary of State (SoS) Cases
Email/Post/ External Parties	Orders	Modifications and Revocation of Planning Permission
Email/Post/ External Parties	Orders	Business, Energy & Industrial Strategy (BEIS) Compulsory Purchase Orders (CPO)
Email/Post/ External Parties	Orders	Ministry of Housing, Communities & Local Government (MHCLG) Planning Compulsory Purchase Orders (CPO)
Email/Post/ External Parties	Orders	Rights of Way Orders under the below Legislations: Wildlife and Countryside Act 1981, Highways Act 1980, Town & Country Planning Act 1990, Acquisition of Land Act 1981
Email/Post/ External Parties	Coastal Access Reports	Coastal Access
Email/Post/ External Parties	Various Examinations, Orders & Applications	Department for Environment, Food & Rural Affairs (DEFRA) Ad-hoc Requests
Email/Post/ External Parties	Various Examinations, Orders & Applications	Department for Transport (DfT) Ad-hoc Requests
Email/Post/ External Parties	Various Examinations, Orders & Applications	Department for Transport (DfT) Airports
Email/Post/ External Parties	Various Appeals, Orders & Applications	Ministry of Housing, Communities & Local Government (MHCLG) Ad-hoc requests

21. Annex B – Types of Casework undertaken by the Planning Inspectorate - Wales

A full list of Appeals, Applications, Examinations and Orders that this Privacy Notice covers all types of Planning Inspectorate Casework.

Provided/Made Available via Website & Other Means	Casework Type	Purpose of Processing
Welsh Appeals via the Appeals Casework Portal (ACP)/Email/Post/External Third Parties	Appeals	Enforcement Listed Building Notice
Welsh Appeals via the Appeals Casework Portal (ACP)/Email/Post/External Third Parties	Appeals	Enforcement Conservation Area Notice
Welsh Appeals via the Appeals Casework Portal (ACP)/Email/Post/External Third Parties	Appeals	Enforcement Notice
Welsh Appeals via the Appeals Casework Portal	Appeals	Enforcement Lawful Development Certificate

(ACP)/Email/Post/External Third Parties		
Welsh Appeals via the Appeals Casework Portal (ACP)/Email/Post/External Third Parties	Appeals	Planning Advert Discontinuance
Welsh Appeals via the Appeals Casework Portal (ACP)/Email/Post/External Third Parties	Appeals	Planning Advertisement Appeal
Welsh Appeals via the Appeals Casework Portal (ACP)/Email/Post/External Third Parties	Appeals S78	Planning Commercial Appeal Service (CAS)
Welsh Appeals via the Appeals Casework Portal (ACP)/Email/Post/External Third Parties	Appeals S78	Planning Householder Appeal Service (HAS)
Welsh Appeals via the Appeals Casework Portal (ACP)/Email/Post/External Third Parties	Appeals S78	Prior Approval
Welsh Appeals via the Appeals Casework Portal (ACP)/Email/Post/External Third Parties	Appeals S78	Planning Section 106 Agreement
Welsh Appeals via the Appeals Casework Portal (ACP)/Email/Post/External Third Parties	Appeals	Planning Listed Building Consent & Conservation Area Consent Appeal
Welsh Appeals via the Appeals Casework Portal (ACP)/Email/Post/External Third Parties	Appeals	Non-Validation Appeals
Welsh Appeals via the Appeals Casework Portal (ACP)/Email/Post/External Third Parties	Applications during Inspectorate Processing	Costs Decisions
Welsh Appeals via the Appeals Casework Portal (ACP)/Email/Post/External Third Parties	Appeals S78	Planning Appeal (all procedures)
Developments of National Significance (DNS) Website for DNS Case Types or Email/Post/External Third Parties	Applications	Development of National Significance Applications
Email/Post/External Third Parties	Appeals	Specialist Purchase Notices
Email/Post/External Third Parties	Appeals	Sustainable Drainage System (SUDS) Appeals
Email/Post/External Third Parties	Appeals	Community Infrastructure Levy (CIL) Appeals
Email/Post/External Third Parties	Appeals	Specialist High Hedges
Email/Post/External Third Parties	Appeals	Specialist Tree Preservation Order
Email/Post/External Third Parties	Appeals	Specialist Tree Replacement Notices
Email/Post/External Third Parties	Appeals	Environmental Permitting Regulations
Email/Post/External Third Parties	Appeals	SSSI Appeals
Email/Post/External Third Parties	Appeals	Contaminated Land
Email/Post/External Third Parties	Appeals	Marine Licensing
Email/Post/External Third Parties	Appeals	Waste Management
Email/Post/External Third Parties	Appeals	Water Abstraction
Email/Post/External Third Parties	Appeals	Hazardous Substances Appeals

Email/Post/External Third Parties	Appeals	Notice Appeals
Email/Post/External Third Parties	Appeals	Specialist Hedgerows
Email/Post/External Third Parties	Appeals	Restriction Appeals
Email/Post/External Third Parties	Appeals	Specialist Rights of Way - Schedule 14
Email/Post/External Third Parties	Applications	Specialist Common Land under the below legislations: Commons Act 2006: Section 16, Commons Act 2006: Section 38, Commons Act 2006: Part 1, Acquisition of Land Act 1981: Section 19 and Schedule 1, National Trust Act 1971: Section 23, Section 15 of the New Parishes Measure 1943, Section 193 of the Law of Property Act 1925, Schemes of management under the Commons Act 1899, Section 9 of the Countryside Act 1968, Inclosure Acts, Various local Acts and Provisional Order Confirmation Acts (which includes levying of stint rates)
Email/Post/External Third Parties	Applications	Specialist Rights of Way - Schedule 14 Directions
Email/Post/External Third Parties	Applications	Specialist Village Green
Email/Post/External Third Parties	Applications	S36 Applications (Electricity Act 1989)
Email/Post/External Third Parties	Applications - Recommendations	Drought Permits
Email/Post/External Third Parties	Applications	Specialist Necessary Wayleaves and Tree Lopping
Email/Post/External Third Parties	Applications	Water Abstraction
Email/Post/External Third Parties	Examinations	Water Resource Management Plans
Email/Post/External Third Parties	Examinations	Local Development Plans
Email/Post/External Third Parties	Examinations	Community Infrastructure Levy (CIL)
Email/Post/External Third Parties	Orders	Harbour Revision Orders
Email/Post/External Third Parties	Orders	Drought Orders
Email/Post/External Third Parties	Orders	Transport & Works Act Orders
Email/Post/External Third Parties	Orders	Highways Act Orders
Email/Post/External Third Parties	Orders	Local Authority (LA) Traffic Regulation Orders
Email/Post/External Third Parties	Orders	Ferry and Bridge Toll Orders
Email/Post/External Third Parties	Orders	Cycle Tracks Orders
Email/Post/External Third Parties	Orders	Stopping Up Orders
Email/Post/External Third Parties	Orders	Department for Transport (WG) Compulsory Purchase Order (CPO)
Email/Post/External Third Parties	Orders	Side Road Orders
Email/Post/External Third Parties	Orders	Department for Environment, Food & Rural Affairs (DEFRA) Compulsory Purchase Order (CPO)
Email/Post/External Third Parties	Orders	Review of Old Mineral Permissions (ROMPs) and Ad-hoc Minerals
Email/Post/External Third Parties	Orders	Adverts Welsh Ministers (WM) Cases
Email/Post/External Third Parties	Orders	Modifications and Revocation of Planning Permission
Email/Post/External Third Parties	Orders	Business, Energy & Industrial Strategy (BEIS) Compulsory Purchase Orders
Email/Post/External Third Parties	Orders	Ministry of Housing, Communities & Local Government (MHCLG) Planning Compulsory Purchase Orders
Email/Post/External Third	Orders	Rights of Way Orders under the below Legislations: Wildlife and

Parties		Countryside Act 1981, Highways Act 1980, Town & Country Planning Act 1990, Acquisition of Land Act 1981
Email/Post/External Third Parties	Various - Examinations & Orders & Applications	Welsh Government (WG) Ad-hoc Requests
Email/Post/External Third Parties	Various - Examinations & Orders & Applications	Department for Transport (DfT) Airports

22. Annex C – List of Data Processors

Data Processor	Purpose
GoPro	Platform for Planning Appeal Processing
UK.Gov Notify	Communications with External Parties
Google Analytics	Monitoring Web Activity
ICS - TFL	Customer Survey
Sales Agility	Compliance SaaS Solution
AV Companies	Provision of Streaming Services
Microsoft	M365 Applications
You Tube	Streaming Events
Translation Supplier	Translation Services
Shared Service Supplier	External Planning Inspectorate Payments
Chart	Scheduling System
Smart Survey	Appeals User Feedback

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