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Guidance

Customer Privacy Notice

Applies to England and Wales

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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 (UK GDPR) and Data Protection Act 2018 and covers all types of Planning Transparent Pension Arrangements (PTPA) and Pension Scheme Administrators (PSA). The Planning Transparent Pension Arrangements are in Wales and transfer to Welsh Government. This will be complemented by the transfer of customer records and since this transfer has occurred Welsh Government will be the Data Controller for the joint Welsh Government data sharing and processing partners.

It informs you about:

- the specifics of the personal data handling practices within the Planning Transparent Pension Arrangements and about the Planning Transparent Arrangements Administrators
- what personal information we collect, how we collect it, use it, share it, store it and dispose of it
- the personal information provided as part of a Planning Transparent Pension Arrangements Scheme is processed, or, on behalf of the Planning Transparent Pension Arrangements and Organisations using one of the Planning Transparent Pension Arrangements Scheme Administrators, for the purpose of administering the Scheme and the information relative to them or an individual may contribute personal data

It does not include:

- where the identity of participants has been removed (anonymised data)
- corporate information or business information
- companies or Public Authorities

There are "special categories" of personal data (SC(D)) this was known as "sensitive personal data". It contains data protection laws, these are more sensitive in nature and require specific handling under the regulation.

Policy commitment to openness and transparency

One of the fundamental values of the Planning Transparent Pension Arrangements is commitment to openness and transparency in respect of our statutory rate processing and decision planning and other related concerns.

In many instances in particular planning processes there are obligations that require us to share data with other organisations, in accordance with the law, in the public interest or 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 Controller

The Department for Levelling Up, Housing and Communities (DLUHC) is the Data Controller for data collected for processes the Planning Transparent Pension Arrangements is a "Executive Agency" of DLUHC. The Department's address is:

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

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 monitor our compliance with the UK General Data Protection Regulation and to advise us about this Privacy Notice or on how we handle your personal information, or believe we have not complied with our rights as a data controller under the Data Protection Act 2018 (DPA) supplemented by the UK General Data Protection Regulation (UK GDPR).

Big email to: dataprotection@planninginspectorate.gov.uk (in writing addressed to:

Senior Data Protection Manager (DDPPI) ref
Temple Quay House
2 The Square,
Temple Quay,
Bristol,
BS1 6PN

DLUHC'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,
DLUHC Data Protection Officer,
Ground Floor,
Fry Building,
Playfoot Street,
London,
SW1P 4QF

Telephone Helpline number: 0303 072 1910
http://ico.org.uk/

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 we have breached the Data Protection Legislation/Regulations in the processing of your personal information you have every questions about this Privacy Notice, or how we handle your personal information, please contact us at dataprotection@planninginspectorate.gov.uk

Also for independent advice about data protection matters you have the right to complain to the Information Commissioner's Office (ICO) at any time. The ICO is the 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
http://ico.org.uk/

1. Who are we?

The Planning Inspectorate is an executive agency, sponsored by the Department for Levelling Up, Housing and Communities (DLUHC).

- under data protection legislation, we operate 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 other planning related and specialist casework
- the Planning Inspectorate also deals with Inquiries into or behalf of relevant Secretaries of State in England
- 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?

- we will have little provided information to us, if you make or take part, in a planning appeal, application or examination as part of our planning process
- you may also provide us indirectly with special categories information where you are a participant in a planning appeal, application or examination, or where the personal and special category of other data subjects that you want to be considered within the planning processes
- we may also ask for information only required to provide us with relevant information relating to the case, or a planning appeal they will send us the information that they received of the planning application
- we may also ask for information only required to provide information to us in respect of their proposed Scheme (s) CIL schedule including the representations that they have made or
- during the examination, the Inspector will also hear oral representations from the parties and consider any further written representations that they have asked during that examination
- the IS will provide a programme officer to support the Inspector, and representations are exchanged, the programme officer participants in the examination and the exchange of representations
- other Government departments & agencies provide relevant information
- no social media or our website, e.g. comment data sent to our webserver by your browser when you visit our website
- via a contact form
- you wish to attend a Planning Inspectorate Webinar
- you wish to attend a Planning Inspectorate Webinar
- 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 10 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 forms and conditions separately provide information about how we use personal information we may collect when and the Special Conditions data we may collect when carrying out our duties under the Town and Country Planning 1990 legislation and Planning Inspectorate in relation to other Government Departments (Section 7).

Appeals Casework Portal (ACP) and Appeal a planning decision service

We use the information provided on the ACP and to process Planning and Enforcement Appeals. We use the information provided on the Appeal a planning decision service to process the new Appeals planning decision service.

- the Planning Inspectorate will provide guidance to making and taking part in planning appeals, national infrastructure planning applications and examinations
- subject to any exclusions that may be necessary we will share the appeal form and supporting documents submitted by the appellant or their agent, with the local planning authority (LPA) and other participants in the appeal, such as the local planning authority's consultees and supporting documents and representations appellant and other parties. This sharing takes place to ensure fairness and transparency in the appeal process and to enable the appeal to be decided fairly
- in accordance with the statutory rules, casework representations are normally copied to the appellant/applicant, the Local Authority (LA) and other statutory consultees in the case
- the LA also is required to share the representations they received with those who wishes to see them
- the Inspector may request a your representation and allow for the effective naming of the case e.g. planning parties with similar requests to identify each other or provide a joint presentation of areas at any hearing or inquiry). (the representations that we share with participants may include personal data such as your name, if you made a comment information, subject to the condition that the Planning Inspectorate determines that it is both necessary and proportionate to do so
- the Planning Inspectorate's Inquiry Procedure Guidance does not include personal information about other individuals and can include special categories data e.g. medical information of other parties (unless we Special Category Data paragraph 50 of Schedule 1 Part 2 of the Data Protection Act 2018 applies) and it is not to be shared or is warranted and has the opportunity to see or be identifiable from representations you provided during information which may be provided
- Inquiry procedure guidance
- Inquiry procedure guidance

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 reduction policy and remove personal telephone numbers, email addresses and signatures from all operator/agent information (such as information about individual's Inquiry)
- if you have concerns about the publication of your information, then you should contact the Case Officer in the Case Team or Business before submitting your representation
- however, if you have further concerns relating to the processing or handling of your personal information contact the Planning Inspectorate Data Protection Manager (DDPPI)
- although we may not publish every document, we will make the documents we have received in connection with your case available to the parties involved. We will 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 account the examination of applications under the Planning Act 2008 and Planning Act 2008 (Applications about the Inquiry) personal information the Planning Inspectorate may collect when carrying out our duties under the Planning Act 2008 and Planning Act 2008 (Applications about the Inquiry) The Planning Inspectorate has statutory functions under the Planning Act 2008 and its procedural rules and regulations which require us to:

- make certain documents and information available to other participants, which may include personal information, including making these publicly available on the National Infrastructure Planning website
- if you have specific queries or concerns in respect of this processing of your personal information, you should contact the Inspector 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 (Examination Rules), we will make representations, documents and Written Representations and other documents submitted in relation to the examination of an application available to the public
- Rule 21 of the Examination Rules requires the Inspector to make available to the public the documents comprising each application and representations made by each person this is achieved by publishing these documents on the National Infrastructure Planning website
- under section 37 of the Planning Act 2008 we are required to publish an notice that we issue about applying for a Development Consent Order, and making a recommendation to the Secretary of State (Examination Rule 6)
- the Examining Authority will consider the information provided in representations in the course of its examination and in preparing its Recommendation Report to the Secretary of State. The Examining Authority will make the 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 representation
- the Inspector or Inspectors appointed to carry out the examination of an application
- before publishing most documents, we redact (or 'blank out') certain personal information, such as telephone numbers, email addresses, signatures and sensitive personal information (special category data)
- we also redact any content that we consider to be potentially libelous
- we don't redact any personal information in documents produced by applicants where this would therefore affect the examination of an application e.g. the Planning Statement, Environmental Statement, Design and Access Statement and other documents are published e.g. the Book of References) include the names and addresses of affected persons, the Examining Authority will inform those interested persons of the affected Rule 21 Procedural Decisions
- we also publish the Examining Authority's Recommendation Report and the Secretary of State's decision notice already redacted but subject to our data protection obligations, we will redact any further personal information

Management Information Data Warehouse

The Planning Inspectorate uses a data warehouse to support production of analysis and management information. This is used to monitor our performance and provide information to our customers. The data that is used includes information collected from the course of handling casework and will include personal data. Wherever possible we only use anonymised or pseudonymised data for this purpose and restrict access to the data. Where this is not possible we will apply data minimisation and pseudonymisation to the processing of the data as appropriate and the data will only be accessible by a restricted number of Planning Inspectorate staff.

Testing and Development of Systems and Products

The Planning Inspectorate may sometimes use your personal data in order to help test and develop our systems and products. This is for the purpose of improving your experience and the quality of our services. Wherever possible, we will use anonymised or other types of non-identifiable personal data for this purpose.

Audit, Investigations and Legal obligations

We may process your personal data for the purpose of meeting a legal obligation (eg to assist a court order). We may also use your data in certain circumstances for the pursuit of audit or other investigations in order to detect or investigate financial fraud or other criminal offences. We may also use your data for establishment of legal may include for evidence purposes made to external coalitions.

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 Act 1990, the Planning and Compulsory Purchase Act 2004, the Planning Act 2008 and various other legislations and Rules, Regulations, Orders and Directions.

The lawful basis for processing are set out in Article 6 of the UK GDPR. The Planning Inspectorate uses the lawful basis detailed in:

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

Article 6(2)(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)(a) For the processing of Special Category Data the lawful basis is where 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, on the basis of Union or Member State law which is proportionate to the aim pursued, respects the essence of the right to data protection and provides for suitable and specific measures to safeguard the 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:

- we and our Personal information you voluntarily provide to us as part of one or more of the following processes: Planning Appeal, National Significant Infrastructure Projects (NSIP), Community Infrastructure Levy Schedule (CIL), Inquiry and Examination casework
- the information can directly or indirectly include personal information about other individuals (including special category data) and criminal offence data (including under Special Category Data paragraph below for further information)
- for Local Plans, Spatial Development Strategies (SDS) and CILs the Planning Inspectorate will be processing this data on behalf of the Local Authority and we want to in accordance with the Local Plan, SDS or CIL is a Planning Inspectorate's UK or the proportionate office appointed by the UK. Our Procedure Guide for Local Plan Examinations and our Procedure Guide for Community Infrastructure Levy Examinations may require to know the name of a participants making the representation. The LA as the controller may or may not redact other personal information provided by participants in the process. The Planning Inspectorate will redact telephone numbers and email addresses of any persons making representations on the Local CL schedule in order to administer the examination
- name
- address
- telephone Phone number (personal and if a participant in a virtual event who joins by telephone dial-in facility)
- email address
- IP address
- Cookies
- Webcam or Video in stream
- electronic and hard copy correspondence
- application documents
- written submissions made by Interested Parties and others involved in the examination process
- Video, Audio and Live streaming and other Planning Inspectorate events with will be published into the relevant website
- Inquiry Notes
- hard copies of information
- information provided by other Government Departments and Organisation's

Special Category Data

Special category data defined at Article 9 UK 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 there are separate safeguards for personal data relating to criminal offence Commissioners separate guidance on this

- the Planning Inspectorate will not routinely request special category data as part of our planning activities. However, there may be circumstances in which we process these types such that when such special category data it is necessary and proportionate to do so
- in certain cases we may need to collect special category data to the extent that this is relevant to the case. This could for example include: in relation to planning appeals, national infrastructure planning applications and examinations (such as evidence), as well as accommodation, health and social care information
- the information voluntarily provided can directly or indirectly include personal information about other individuals (including special category data and criminal offence data (including under Special Category Data paragraph below for further information)
- we may also collect special category data if it is provided to us voluntarily, to make sure it is necessary and relevant to the case when you provide it to the Planning Inspectorate. We will only use this information for the purpose for which you provided the information (like only to inform that it is relevant to the case) or for other parts of the Planning Convention Process that you agree to be considered. e.g. Medical information, disability information, or information about your religion. Such 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
- If you do not provide information that is necessary for consideration of your case, or if you are an adjunct to the process that requires the Planning Inspectorate's statutory powers to validate your case within the set time periods, then we will not be able to consider your case and may return your application to you

- Your personal information will be used for the purposes identified in a privacy notice in accordance with the Planning Inspectorate's statutory and other functions and will not be used in any other way. In certain circumstances your personal information may be used for these purposes regardless of any request to prevent such use.
- Your personal information may be disclosed to parties whose interest in your representation or application is affected by your representation or application (for example an applicant for a development consent order) and such persons may use your personal information for these purposes. In certain circumstances we may be required to disclose your personal information to a third party (for example in response to a request for information under the Environmental Information Regulations 2004). Under these regulations we may not be able to withhold your personal information if we receive a request for it.
- Representations made in response to an application for a development consent order will be made available to the public on the website and may be inspected at certain locations following the close of the examination period. Representations made in response to other documents may be made available for inspection at certain locations during the period for which the document is being made available. To ensure an open and fair examination, it is important that the representations you make and your personal information contained in your representation can be seen and used by the examiner and other interested parties.
- There is no statutory obligation on an interested party to participate in a court case or an examination or to provide any particular information if they choose to do so.
- If you are another interested party and you fail to provide your name and/or the name of your organisation or group if you represent, we may be unable to accept your representation.
- We do not accept anonymous or confidential representations by any type of Planning Inspectorate staff.

7. Children's Information

The Planning Inspectorate do not provide services directly to children or proactively collect their personal information. However, we are sometimes acquiring personal information about children as part of the assessment, applications, orders or examination process. We do not knowingly collect special category data in relation to children at any aspects of consent.

8. How long we keep your personal data?

We will retain your 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 policies and procedures. Personal information is generally 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 legal obligation to continue to process your information
- whether we have any legal issues under data protection law to continue to process your information, such as your consent
- any relevant agreed service or practice on how your 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:

- Applicants/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
- Inquiry Assistants (Inspectors appointed when published on our Website)
- other most parties (including local groups)
- other Statutory Parties to the case
- other Statutory Parties under the General Regulation
- other Statutory Parties have to the relevant Secretary of State or Welsh Minister who is responsible for the application and separate we examine via:
  - The Department for Business, Energy, and Industrial Strategy
  - the Department for Transport
  - the Department for Levelling Up, Housing and Communities
  - the Department for Levelling Up, Housing and Communities
- for fairness to other parties interested in a case, we need to share your representations with all other parties to the case to ensure that there is an effective running of our casework processes e.g. allowing parties with similar viewpoints to identify each other and agree joint presentation of views at hearing sessions. We may also share your personal information with other government bodies, subject to the condition that Planning Inspectorate decisions are based on necessary and proportionate, without redaction of content or contact information. Where we share your personal data with other Government bodies, we will make aware that your representation may be given weight by the Inspector.

The appointed Inspector or person will consider the information provided in the representation or application. They will also have access to all other parties' representations and their responding to them.

Alternatively, where our sponsor departments (DLUHC 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 share your personal information with:

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

We may also third party service providers to process information (see Annex B for full list of third party service providers and other organisations we share personal data with for technology services). Where we do so, contracts will be put in place to ensure that your personal information is only used in accordance with our instructions and not for their own purposes, subject to the condition that Planning Inspectorate decisions are based on necessary and proportionate, without redaction of content or contact information. Where we share your personal data with other Government bodies, we will make aware that your representation may be given weight by the Inspector.

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We may also third party service providers to process information (see Annex B for full list of third party service providers and other organisations we share personal data with for technology services). Where we do so, contracts will be put in place to ensure that your personal information is only used in accordance with our instructions and not for their own purposes, subject to the condition that Planning Inspectorate decisions are based on necessary and proportionate, without redaction of content or contact information. Where we share your personal data with other Government bodies, we will make aware that your representation may be given weight by the Inspector.

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 and we keep our staff trained in how to handle personal information.

Where third party service providers are used, contracts and/or Annexes 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 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 the 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 office 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. We may need to request that you charge for exercising your rights. We have one month to respond to you.

Your rights under UK GDPR are the right:

- to be informed
- to 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)

Most of our data is used in the public interest or in the exercise of our official authority so you will generally have the right to object to our use of your data.

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

12. Customer Feedback Surveys and Marketing

Periodically Planning Inspectorate will conduct customer surveys to seek your feedback on our services provided. This is to help improve our service 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 indicated in the survey documentation provided to you
- in all cases, Planning Inspectorate staff and Inspectorate staff 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 identify you. For example, we may aggregate the survey data collected to calculate the percentage of users who have provided a specific feedback 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.

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

We may from time to time use your contact details to inform you about new services provided by Planning Inspectorate, to seek your views on improvements to our services and provide a more efficient service. You can exercise your right at any time to stop receiving any marketing material from us. However, we will never sell or otherwise pass on your personal data to any other third parties for marketing purposes.

13. Learning and Development

The Planning Inspectorate may from time to time produce training materials, based on real case examples and scenarios, for training and development purposes and provide to its staff. This is necessary for the purposes of continuous improvement and to help us deliver more efficient and high quality services to our customers. Wherever possible Planning Inspectorate will use fictitious casework material and be used for the purpose where it is impracticable to do so.

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 indication that you agree to your personal data being used for research purposes. You have the right to withdraw your consent at any time and in such circumstances we will cease processing your data. Withdrawing your consent will not affect 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 to the research on our behalf. In such circumstances, we will ensure that personal data will be protected from physical information in relation to that non-consent process
- all user research surveys are carried out by Planning Inspectorate staff or by third party suppliers on behalf of Planning Inspectorate. Third party suppliers will provide a privacy notice to us and the user research participants prior to 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 identify you. For example, we may aggregate the survey data collected to calculate the percentage of users who have provided a specific feedback 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.

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

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 Regulations 2018 and the Equality Act 2010 in relation to accessibility to services this. In line with these requirements, 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 from a remote location using a videoconferencing platform.

A Blended Event (BE) is an event that has both a combination of in-person attendees (or one or more locations) as well as a virtual element (where participants can join either through videoconferencing platform or by phone). The Inspector will decide on the format of the hearing or inquiry. Blended Events are considered no more 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?

- email address requested in event invite
- phone numbers - if the participant joins by phone, your phone number would be visible to other participants in the event. Depending on your phone settings, this may be CLI, general (known as dialing +44) or 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?

- email address
- phone number
- display Name and Self-Image (will be stored in the virtual meeting room, within Microsoft Teams for the duration of the meeting)
- 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 governed by their Privacy Statement

Recording Live Streaming of Events hosted by the Planning Inspectorate

- the Planning Inspectorate will sometimes be required to record a live stream or event, especially if it is of significant public interest and to ensure access to and fairness of the process
- the recording may be used for training and awareness in the first instance as well, for responding to potential complaints
- any Live Streams will be used to ensure public access to process and will be streamed live on the Planning Inspectorate's YouTube channel (Hyperlink to the Planning Inspectorate's approved YouTube live feed/channel Hyperlink to Events on the National Infrastructure Portal)
- the recording will be stored in the site Control for Stream recordings/Submissions

Third Party Recordings for Events not hosted by the Planning Inspectorate

- the Planning Inspectorate works with Local Authorities and other parties who have the facilities to broadcast these events/hearings, then this will be covered in the Joint Agreement
- the Planning Inspectorate may monitor a copy of any such recordings for processed which we governed within relevant data sharing agreements for Joint Controllers, Processors or Third Parties and Joint Controllers, Processors or Third Parties
- 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 streaming
- the Planning Inspectorate may receive a copy of any outcome 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 quasi-inquiries/public inquiries requiring recording and/or Live Streaming of an event
- the Planning Inspectorate Inspectorate is not involved in any aspect of the recording or Live Stream
- the Planning Inspectorate may receive a copy of any outcome 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, ask questions or view a webinar recording
- we will use the 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 information
- if you have subscribed to our news and events alerts, we may send you updates about events, news and service announcements. You can unsubscribe at any time via the link in the email
- 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 future webinars
- we may collect your name during the webinar if you have submitted questions to ask a speaker
- we use Microsoft Forms to collect the information we need to register you as an attendee or to subscribe(opt-in) to our news and events alerts, and Microsoft Teams to run the webinar
- we use Microsoft Forms, Teams, as well as and your information, remains in our direct control as administrator and end user. We do not share your personal information with third parties
- Microsoft processes data on behalf of customers to provide the required 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 hidden by the organising host if Caller ID, generally known as dialing +44) in which case a random number is displayed. Phone numbers are not recorded or stored by Microsoft Teams
- 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 camera is on)
- 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?

- email address, Phone numbers, Display Name and Self-Image will be stored in the Microsoft Teams Cloud Service, within the Microsoft Teams Meeting
- 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 want to be visible or audible, you will be able to disable your camera and/or mute your microphone
- we may record or make 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 visible to the host and after the event to participants. Chat comments will not be revealed 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. Communications activities

Collection and use of personal information

We may collect personal information, including contact details (such as email addresses, phone numbers), and any other information relevant to our communication activities. We use this information to provide you with information, updates, engagement, and to provide you with relevant updates and information about our services, news, events, and activities.

Use of personal information

We use the collected information for following purposes:

- To engage with you through social media platforms and that required to your inquiries or comments
- To monitor and analyse social media interactions to improve our services and communications.
- To send you marketing communications, newsletters, or information about events or services that may interest you.
- To manage and moderate entries on our social media platforms.
- To respond to media inquiries and facilitate communication with the press.
- To manage and maintain our stakeholder engagement database.

Your rights

As well as the rights mentioned in section 11 you can opt out of receiving marketing communications at any time by following the unsubscribe link in an email, or by contacting us directly.

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

18.1 ACP users must create an account with us in order to submit spaces 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 so that means it easier to track cases and submit comments

Good Luck Portfolio on the ACP

- we have a good luck to facilitate you do wish to submit comments without creating an account, simply search for your case and click on the 'Make Representation' button

The ACP FAQ

18.2 National Significant Infrastructure Projects (NSIPs) and Examinations do not require an account to access information on the website.

- if you wish to comment on relevant to an NSIP, 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 receive email updates
- both the registration form and email notification requests are located on the NSIP website

NSIP FAQs

National Infrastructure Submissions Portal

Interested Parties can now make written submissions to examinations through the National Infrastructure Portal website. If interested Parties do not wish to, or cannot, make their submission via the portal they can still submit their representations by sending submissions to the relevant project email address. Any personal data in the processing of personal data will be reflected in an updated version of our Customer Privacy Notice.

19. 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 website work, or work more efficiently, as well as to provide information to the owners of the site.

20. 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 will be released into the public domain in response to a request, if it is deemed that releasing information is lawful. If information under one of these legislations is requested, the Planning Inspectorate will consider if the information contains any personal data and if so, whether it would be lawful to release it in an updated version of our Customer Privacy Notice.

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.

21. 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), Appeal a planning decision service & Email/Post/External Parties	Appeals S78	Planning Householder Appeal Service (HAS)
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), Appeal a planning decision service & 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
Email/Post/External Parties	Applications	Town and Country Planning Act 1990 (Section 62A)
National Infrastructure Planning Website(NIP) & Email/Post/External Parties	Applications	Application for a Development Consent Order (DCO)
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: Section 4 Part 1, Schedule 1, National Trust Act 1971: Section 21, 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	Department for Levelling Up, Housing and Communities (DLUHC) 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	Department for Levelling Up, Housing and Communities (DLUHC) Ad-hoc requests

22. Annex B – 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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