

Privacy notice – Rights of Way

Who are we?

Derby City Council is the local government unitary authority for Derby City. Our address is The Council House, Corporation Street, Derby, DE1 2FS. The Rights of Way Service falls under the Spatial Planning Group and is part of the Council's Planning Service.

Why do we collect information from you?

You may be someone or represent an organisation that has applied to us for a Definitive Map Modification Order or Public Path Order; commented or objected to an order; provided path user evidence to us; contacted us to arrange a rights of way related legal agreement; applied to us to make a statutory rights of way landowner statement and/or declaration; or who has made representations to the Rights of Way Improvement Plan.

We will need to keep your contact details so that we can contact you about either your application or your objection/comments or your evidence relating to an application, or let you know when future stages of the Improvement Plan or other documents are available to comment on.

How do we collect information from you?

We collect information from you when you fill in any of our electronic or paper application or public evidence forms relating to applications for public path orders or modification orders, or make electronic or paper representations to our Rights of Way Improvement Plan. We also collect information when you speak to us on the phone, by email, text message or any other type of electronic communication, or talk to us face to face.

What types of information do we collect from you?

We collect different categories of information about you, depending on the service you want from us and /or the reason why we need to process information relating to you. This could be personal information, for example, your name, business address, telephone number, email address and travel details. We may, at times, collect more sensitive data made up of your protected characteristics. We may need to know your age and when assessing any path user evidence that you may submit to us. We may need to know your age, sex, ethnicity and any type of disability that you may have, when carrying out surveys as part of our preparation on our Rights of Way Improvement Plan.

How is your information used?

We may use your information to: to arrange a legal agreement; to prepare a landowner statement or declaration and carry out any other rights of way related activity. We may need to use details of your age and past and present travel habits to help evaluate the merits of an application for an order. We may also need to use your age, sex, ethnicity and any type of disability that you may have, to assess your needs and produce a Rights of Way Improvement Plan that will help meet those needs. We always destroy forms with your details in a responsible manner after we have collated the data.



Research and statistics

Anonymised and pseudonymised data may be used for research and statistical purposes. Any data collected may be used for research and statistical purposes that are relevant and compatible with the purpose that the data was collected for.

Who has access to your information?

We are required by law to make details of applications for orders available to the public in paper format and on our web site. We are also required to make summaries or full copies of any objections or comments that you make on an order available to applicants for them to respond to. However, we redact personal information from these.

We may also share your information with:

- Other Council Departments - for example, we may need to share your comments with other Council services that specialise in issues you raise so that we can properly respond to your comments and questions.
- Other Local Authorities - for example, this could be comments made on a proposed order relating to a public path which crosses the City boundary. It could also be where more general comments or questions you raise should be directed to them instead of or as well as Derby City.
- The Planning Inspectorate and/or Secretary of State, as required by law, when processing applications for orders.

We will not sell or rent your information to third parties. We will not share your information with third parties for marketing purposes.

What are your rights in relation the personal data we process?

Access – you can request copies of any of your personal information that is held by the Council.

Rectification – you can ask us to correct any incorrect information.

Deletion – you can ask us to delete your personal information. The Council can refuse to delete information if we have a lawful reason to keep this.

Portability – you can ask us to transfer your personal data to different services or to you.

Right to object or restrict processing – you have the right to object to how your data is being used and how it is going to be used in the future.

Right to prevent automated decisions - you have the right to challenge a decision that affects you that has been made automatically without human intervention, for example an online form with an instant decision.

How long will we keep your information for?

We keep and dispose of all records in line with our record retention schedule; information about this is at <https://www.derby.gov.uk/retention-schedule/>. We will comply with Data Protection legislation

What security precautions are in place to protect the loss, misuse or alteration of your information?

We are strongly committed to data security and will take reasonable and appropriate steps to protect your personal information from unauthorised access, loss, misuse, alteration or corruption. We have put in place physical, electronic, and managerial procedures to safeguard the information you provide to us. However, we cannot guarantee the security of any information you transmit to us. We recommend that you take every precaution to protect your personal information.

Keeping your data up to date

We want to ensure any information we hold is accurate. You can help us by promptly informing us of any changes to the information we hold about you.

Under 13

If you are accessing online services and are under the age of 13, please get your parent/guardian's permission beforehand whenever you provide us with personal information.

Cookies & IP addresses

What are Cookies and why are they used?

Cookies are small text files which identify your computer to our servers. They are used to improve the user experience. View what cookies we use and how you can manage them at

<https://www.derby.gov.uk/site-info/about-cookies/>.

Complaints

If you would like to make a complaint regarding the use of your personal data you can contact our Data Protection Officer;

By Post: Information Governance

The Council House,
Corporation Street,
Derby, DE1 2FS

By phone: 01332 640763

By email: data.protection@derby.gov.uk

For independent advice about data protection, privacy and data sharing issues, you can contact the Information Commissioner's Office (ICO):

By Post: Information Commissioner's Office

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

By phone: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number

Alternatively, visit ico.org.uk or email casework@ico.org.uk.

