



Privacy Notice - Bristol City Council/BRERC



BRERC Privacy Notice

Bristol City Council is the data controller for the purposes of the Data Protection Act 2018 and other regulations including the UK General Data Protection Regulation (UK GDPR), which means it determines what your personal data is used for and why it is collected.

The purpose of this privacy notice is to tell you about how we collect and use personal data in connection with our service. We may update this privacy notice from time to time. When we do this, we will communicate any changes to you and publish the revised privacy notice on our website.

Our main address is City Hall, College Green, Bristol, BS1 5TR and our contact details can be found on [Bristol City Website](#)

What data do we need to collect and use?

To provide this service, we will collect and use some or all of the personal information below:

- Name
- E-mail address
- Address
- Phone number
- Internal ID

We get most of this information from you and from what we learn about you through your use of our services, but we may also get some information about you from: cookies/tracking tools, technology you use to access our services, information you make public on social media, information from publicly available sources (press, electoral register, company registers and other public records, online search engines

How do we use your personal information?

We use this information for one or more of the following reasons:

Ongoing management of ecological data submitted from a wide range of different sources. A wildlife record is defined as 'A person's ecological observation at a specific location and time'. Examples of how personal information is used include, but are not limited to, preventing duplication of data, increasing the accuracy of subsequent records and allowing validation of future records where information may have been unintentionally omitted. We may also contact people for the sole purpose of determining the validity of the ecological data submitted.



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Who else might we share your personal information with?

Sometimes we may need to share your information, but we will only do so where we have a valid legal basis to share data. We will only share the minimum information for each circumstance. We may share some of your personal information with one or more of the following:

Central Government Departments, Charity, Education or training provider, ICT provider, Law Enforcement body or Court, Non-Governmental Organisation (NGO), other Bristol City Council departments, other Local Authorities, National Schemes and Societies, National Bodies, Individual Experts

No personal information is routinely sent or held outside the UK. Should the transfer of personal information outside the UK become necessary, it will only take place if permitted by law, and then only where there are appropriate safeguards in place to protect the data.

Personal information

Our legal bases for using your personal information are one or more of the following:
to exercise our tasks in the public interest,
consent of use of your information
and/or to enter into or perform a contract with you.

The relevant legal gateways are as follows:

BRERC data is used to fulfil the requirements of Section 40 (1) of the Natural Environment and Rural Communities Act, 2006, and Regulation 15 of The Town and Country Planning (Environmental Impact Assessment) Regulations, 2017, for Bristol City Council alongside providing notice of the presence of species protected under the Wildlife and Countryside Act of 1981.

BRERC data is also used for all the below:

Environment Act 2021, Schedule 14, Part 2 (15) as BRERC process data utilised by the council to check Biodiversity Net Gain assessments from third parties and use BRERC's data to decide whether these criteria have been met.

The Act also places a Statutory Duty on LPAs and/or Natural England to produce Nature Recovery Strategies

EC Habitats Directive Annex II, the EC Birds Directive Article 4(1) and Article 4(4) and the Wildlife and Countryside Act 1981 (as amended) schedules 1, 5 and 8 lists species and habitats to be protected. (these are material in deciding planning applications and strategies)

Ecological Impact Assessments and Environmental Impact Assessments (EIA) are carried out by LPAs to meet the requirements of Council Directive 85/337/EEC.



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2018 guidance for Local Authorities and guidance notes published in 2020, 2021 and 2022 state the services of LERCs should be sought to ensure compliance with:

Natural Environment and Rural Communities

(NERC) Act 2006

Wildlife and Countryside Act 1981 and

Countryside and Rights of Way Act 2000

The Protection of Badgers Act 1992

The Hedgerow Regulations 1997

INSPIRE Regulations 2009 and the UK Location

Strategy

Town and Country Planning (Environmental

Impact Assessment) Regulations 2011

UK Environmental Information Regulations

2004 (EIR) and Freedom of Information Act

National Planning Policy Framework.

European Habitats Directive (including enabling UK Compliance with Article 17 reporting)

European Birds Directive

Convention of Biological Diversity

Agricultural Act (replaces EU Common Agricultural Policy) with reference to the Environmental Land Management Scheme (ELMS)



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How long we will keep your personal information?

We will hold this information for as long as it is needed, or if we are required to do so by law. In practice this means that your personal information may be retained for the relevant period listed below:

- Name - retention period permanent
- E-mail address - retention period permanent
- Address - retention period permanent
- Phone number - retention period permanent
- Internal ID - retention period permanent

Your rights as a data subject

The law gives you a number of rights to control what and how personal information is used by us, including the right to access a copy of your personal information and withdraw your consent when we rely on your permission to use your personal data.

Full details about how we use and share your data and your rights can be found on our [Corporate Privacy Notice](#). If you are unable to access our digital Privacy Notice, please [contact Citizens Services](#) whom will be able to send a hard copy.

To update or correct your information if it is inaccurate please [contact Citizens Services](#).

To access a copy of your personal information, more details and how to make a request can be found on the [data protection subject access requests page on the council website](#).

You can exercise any of these rights, ask questions about how we use your personal data or complain by contacting us at data.protection@bristol.gov.uk or by writing to our data protection officer at:

Data Protection Officer
Information Governance
Bristol City Council
City Hall
PO Box 3399
Bristol
BS1 9NE

If you think we have dealt with your information inappropriately or unlawfully, you have the right to complain to the ICO at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Website: <https://ico.org.uk/>