



Policies and Procedures

Data Protection Policy

Description	This document details how We Are Weymouth collects, uses and manages personal data.			
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1 What is a BID?

- 1.1.1 Business Improvement District (BID) schemes are business led initiatives supported by government legislation which give local businesses the power to 'raise funds locally to be spent locally' on improving a defined commercial area and supporting the businesses located within that trading area through the delivery of projects and services.
- 1.1.2 A BID is created when the majority of business ratepayers within that area vote to invest collectively in local improvements. Under BID legislation, a BID can only continue for five years before a new business plan needs to be published and a ballot held where businesses vote 'yes' or 'no' to the BID. If the majority of businesses by number and rateable value, vote in favour of the proposal, the BID will go ahead and apply to all. It is just like a referendum and the majority view will prevail.
- 1.1.3 BID schemes are independent of local authorities and other statutory bodies although the local authority has a duty to collect the annual levy on the BID's behalf.
- 1.1.4 More information on BIDs and their purpose can be found at <https://britishbids.info/about/what-is-abid>

2 What legislation underpins BID schemes?

- 2.1.1 Legislation enabling the formation of bids was passed in 2003 in England and Wales (with subsequent regulations published in 2004 and 2005 respectively) and in 2006 in Scotland.
- 2.1.2 Collection of the BID levy carries the same enforcement weight as collection of the non-domestic rates and is mandatory for all eligible businesses within the BID area regardless of how they voted. <http://www.legislation.gov.uk/ukxi/2004/2443/contents/made>

3 About We Are Weymouth

- 3.1.1 We Are Weymouth (formerly Weymouth BID) has been operating since 2013 and is a Private Company limited by guarantee.
- 3.1.2 The Company is registered in England and Wales, registration number 07953027. The registered offices are Leanne House, 6 Avon Close, Weymouth, DT4 9UX.
- 3.1.3 We Are Weymouth has positions on its Board for up to 16 elected Directors who voluntarily support We Are Weymouth.
- 3.1.4 We Are Weymouth has its own articles which outlines the differences between levy-payers, members, and directors.

4 Our approach to data protection

- 4.1.1 We are a company that uses data to inform local businesses and organisations about issues and services that will support them or enhance their knowledge. We are not 'selling' a product or service but providing information that we deem is in their interest.
- 4.1.2 We are committed to protecting and respecting personal data and privacy and to complying with all applicable laws including the General Data Protection Regulation (GDPR) which came into force on 25th May 2018.
- 4.1.3 We will only use data where we have a legal or legitimate reason to do so; this includes sharing it outside We Are Weymouth if appropriate with third-party providers. We will never sell our data to companies for marketing purposes.
- 4.1.4 We regularly review the data we are storing and processing and on what basis it is being used for; each time we communicate, we will ensure that there are legitimate or legal reasons to do so and if additional consent should be obtained.
- 4.1.5 Information shared with third parties is encrypted and we seek assurances that third parties have data protection policies in place that adhere to the GDPR legislation.

- 4.1.6 We Are Weymouth has registered with the Information Commissioner (ICO), registration number Z3176945.

5 The data we hold

5.1 Levy Payers

- 5.1.1 It is essential that we hold this data and keep it up to date in order to communicate with our levy payers who have contributed funds towards the BID.
- 5.1.2 Our database contains key information about levy-paying businesses, including their name, address, email address, phone numbers, rateable value, details of their owners and/or senior managers, staff and activity records as added by We Are Weymouth. The database also contains information about Voluntary Levy Payers.
- 5.1.3 We will regularly update these lists for the purpose of communicating with members regarding a new BID term or renewal (legal interest) and updating our levy payers on how we are spending their money in line with the business plan upon which the BID was voted in (legitimate interest).
- 5.1.4 We may share elements of this data with third parties such as our PR and Marketing provider, Ranger provider or an appointed agency contracted to contact levy payers to support them with procuring services at a reduced rate e.g. energy, telecoms, insurance etc (legitimate interest).
- 5.1.5 Occasionally, we will communicate with levy payers on issues which are not deemed to be in either legal or legitimate interest but require consent; in these instances, we will contact levy payers describing how we wish to use their data and ask for consent.

5.2 Board Members

- 5.2.1 We hold data on the members of directors to enable us to communicate and hold meetings (legitimate interest) and ensure compliance with legislation (legal obligation).

5.3 Staff and Contractors

- 5.3.1 We hold data relating to employees and contractors such as contact details, performance management information and details pertaining to their work.

5.4 Members of the Public

- 5.4.1 We hold the names and contact details of members of the public who communicate with us or engage with our services by phone, email, social media or face-to-face.

5.5 Members and Offenders of the Weymouth Business Crime Reduction Partnership

- 5.5.1 We hold the details of members and offenders involved with the Weymouth Business Crime Reduction Partnership. Details on how this data is collected, used and managed can be found in the policies pertaining to the Weymouth Business Crime Reduction Partnership.

6 How we collect data

- 6.1.1 Through being eligible to pay into the BID – this information originates from the ratings list held by Dorset Council but We Are Weymouth adds to this data by collecting the name of the person operating the business and their email address;
- 6.1.2 Through our websites – www.weareweymouth.co.uk and www.weymouthbid.co.uk;
- 6.1.3 By communications including email, telephone, post, social media or in-person;
- 6.1.4 From third parties who engage with We Are Weymouth and / or publicly available resources (for example from Companies House)

7 How we have determined the use of data and how it will be used

There are six conditions or 'lawful basis' for processing data.

- Legal obligation
- Contract
- Legitimate interest
- Consent
- Vital Interest
- Public Interest/lawful authority

7.1.1 We have determined that the majority of our BID communications with BID levy payers are either our 'legal duty' or in the recipient's 'legitimate interest' where there is a business or commercial reason to use the information.

7.1.2 In this document, we have outlined the types of communication we have determined falls within the various 'lawful basis':

7.2 Legal

7.2.1 As a BID we have a legal obligation in the run up to a BID renewal / new BID term which takes place every five years, to provide relevant BID information i.e. ballot papers, business plan. It is our legal duty to communicate with all the businesses in the BID area giving them an opportunity to shape the business plan via consultation, receiving the final business plan, a notice of ballot and the ballot paper.

7.2.2 Communications like the annual financial statement that goes out with the levy bills generated by Dorset Council also fall under legal interest as per the BID regulations.

7.2.3 There is no opportunity for levy payers to unsubscribe to these communications or to activate their right for erasure given that there is a legal obligation to process their data.

7.3 Contract

7.3.1 We sometimes provide services under a contract, as set out in a formal document – this includes contracts of employment for BID staff or contracts with third party suppliers. With contracts, there is a lawful reason to hold the data and to be in communication.

7.4 Legitimate interest

7.4.1 We process data under what we have determined is a 'legitimate interest'.

7.4.2 We will communicate with levy payers regarding the delivery of projects and services to demonstrate how we are using their funds and to give levy payers the opportunity to shape our projects and service delivery.

7.4.3 More specifically, we will communicate with levy payers via emails/newsletters for the following purposes:

- Letting levy payers know about projects and their delivery as they have paid the levy and have an interest in finding out what the BID is doing with their money
- Giving levy payers the opportunity to shape projects – asking for feedback/completing a BID survey or inviting them to be involved on a working group
- Giving levy payers updates on things that are in their interests to know e.g. road being resurfaced outside their premises
- Asking levy payers if they wish to attend an event
- Ensuring that content from our website (weareweymouth.co.uk and weymouthbid.co.uk) is kept up to date to promote their business
- Providing them with information or services that they request from us or which we feel may interest them and have deemed is in their legitimate interest

- Notifying them about changes to the BID

7.4.4 Levy payers will have an opportunity to unsubscribe to these communications if they wish.

7.5 Consent

7.5.1 We will seek consent from levy payers or others where we feel our communications do not fall under either legal, contractual, or legitimate interest as detailed above.

7.5.2 The circumstances where We Are Weymouth may seek consent are:

7.5.3 If launching a campaign to sign up members of the public to receive offers from Weymouth businesses e.g. a loyalty card

7.5.4 If seeking additional contributions from levy payers or 'selling' them something

7.5.5 If We Are Weymouth run a B2B scheme whereby businesses generate offers for other levy payers and their employees in the area – we would either gain consent from each employee or invite the main levy payer to cascade this to staff or post the offers on our website asking people to sign up to receive them.

7.5.6 Consent can be withdrawn at any time and We Are Weymouth respects this right.

8 How we will share your data

8.1.1 We will share your information within We Are for administration purposes to ensure we can deliver our business plan and maintain communications with you on how we are spending your money and provide you with the information required legally during the renewal / new term of the BID.

8.1.2 We occasionally use third party service providers such as agents or mail services to help us support you and provide services to you and where we have a legitimate interest to do so. These include:

- Our Customer Relationship Management (CRM) database system
- Electronic marketing and email campaign systems
- Cloud email and data storage services
- Digital form, survey, and self-service / helpdesk platforms
- PR companies who are contracted to We Are Weymouth to deliver PR and marketing services to businesses in Weymouth. Currently, this is In the Bag PR and Loving Weymouth and Portland.
- Our accountancy firm who delivers our end-of-year accounts and our bookkeeper who delivers the payroll for our staff, currently these are Albert Goodman LLP.
- Our BID ranger contractor, currently these are SWL Security Services.
- Other agencies who may be able to provide support services to you e.g. with regard to procuring reduced costs on services such as energy, telecoms, merchant services, insurance etc

8.1.3 We will never transfer or sell your data to a third party for marketing purposes.

9 Data retention

9.1.1 We will only retain business data for as long as is necessary to fulfil the purposes for which it is collected taking account of our legal obligations with respect to holding data relating to BID renewal / new BID term.

10 Data deletion

10.1.1 GDPR allows the right to erasure under specific circumstances. A request for data to be deleted from our legitimate data lists will be carried out.

10.1.2 It is not possible to delete information relating to levy payers who We Are Weymouth has a legal duty to communicate with during the run up to a BID ballot taking place every five years

11 Correcting data

11.1.1 If we are notified in writing, we will correct any inaccurate data as soon as we can.

12 Subject access requests

12.1.1 We Are Weymouth wishes to be open and transparent giving people access to the data we hold about them.

12.1.2 Requests should be made in writing to the Data Controller, We Are Weymouth, Pilgrim House, 1 Hope Street, Weymouth, DT4 8TU, or emailed to info@weareweymouth.co.uk, marked for the attention of the Data Controller.

12.1.3 The person making the request will need to be able to confirm their identity.

13 Complaints

13.1.1 There is the right to complain about the processing of personal data.

13.1.2 Complaints should be sent to We Are Weymouth, in line with the company's Complaints Policy.

13.1.3 Alternatively, there is the right to complain to the Information Commissioners' Office.

14 Further information

14.1.1 For further information, please contact the Data Controller, We Are Weymouth, Pilgrim House, 1 Hope Street, Weymouth, DT4 8TU, or email info@weareweymouth.co.uk, marked for the attention of the Data Controller.