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## Circular Revolution - Privacy Notice

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Personal information which you supply to us will be held by Circular Revolution, an operation part-funded by the European Regional Development Fund (ERDF) through the Welsh European Funding Office (WEFO). Circular Revolution is led by Riversimple Movement Limited in partnership with Swansea University and the University of Exeter.

Circular Revolution is committed to protecting the rights of registered users in line with Data Protection legislation. WEFO require the operation to collect certain information for reporting and evaluation purposes. For data WEFO require (Section A below), Riversimple Movement Limited, Swansea University and the University of Exeter are the joint data processors and WEFO is the data controller. The Data Protection Officer for the Welsh Government can be contacted at [Data.ProtectionOfficer@gov.wales](mailto:Data.ProtectionOfficer@gov.wales).

For other personal data Circular Revolution require (Section B below), Riversimple Movement Limited, Swansea University and the University of Exeter are the joint data controllers. The Data Protection Officer for each can be contacted at:

- Riversimple Movement Ltd: [gdpr@riversimple.com](mailto:gdpr@riversimple.com)
- Swansea University: [dataprotection@swansea.ac.uk](mailto:dataprotection@swansea.ac.uk)
- University of Exeter: [dataprotection@exeter.ac.uk](mailto:dataprotection@exeter.ac.uk)

This statement explains how Circular Revolution handles and uses your personal information during your time as a prospective or existing client or partner of the project and after our relationship completes. Circular Revolution is committed to protecting your information and being transparent about what information it holds.

### What personal information do we collect?

#### A. Data which we are required to collect on behalf of the Welsh Government and WEFO

Data covers the European Regional Development Funds 2014-2020 in respect of 1.) the monitoring data laid out in the Development Funds definitions and 2.) information requirements under the Eligibility rules and conditions for EU funds support. WEFO's privacy notice is available at: <https://gov.wales/wefo-online-privacy-notice-html>

#### Monitoring Data

This includes Enterprise Level data which contains contact details for a named individual in the enterprise. For further information see: <https://gov.wales/sites/default/files/publications/2019-09/eu-structural-funds-monitoring-and-evaluating-projects-guidance.pdf>



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## Eligibility Information

For information on the required data collected under the Eligibility rules and conditions, see:  
[https://gov.wales/sites/default/files/publications/2019-08/eu-funds-2014-2020-eligibility-rules-and-conditions-guidance\\_0.pdf](https://gov.wales/sites/default/files/publications/2019-08/eu-funds-2014-2020-eligibility-rules-and-conditions-guidance_0.pdf)

For Circular Revolution to satisfy the above requirements and process your data on behalf of WEFO, we collect the following personal information from enterprises who wish to receive support or are supported by the Circular Revolution project:

- Name of enterprise lead contact/ technical officers/ employees involved in the project;
- Work contact details of personnel involved in the project;
- Job role/title of personnel involved in the project;
- Total employment costs attributed to the project of associated personnel, including payslips where provided, for the Circular Revolution operation to be used as evidence of match funding;
- Preferred language of communication of enterprise lead contact; and
- Collective anonymous equal opportunities data relating to enterprise owners/directors/senior managers including gender, ethnic origin, age group, number who consider themselves disabled and competency levels of the Welsh language.

In the event of employment creation as a direct result of the support provided to your enterprise by Circular Revolution, the following additional personal information is requested:

- Job role/title of those employed by the enterprise as a direct result of the support received;
- Gender of first post holder for those employed by the enterprise as a direct result of the support received; and
- Salary scales of the first post holder for those employed by the enterprise as a direct result of the support received.

## B. Data which is Collected and Processed by Circular Revolution

In addition to technical and business information you disclose to us to be able to support your enquiry/collaboration/guidance, we collect the following personal information from individuals and organisations who wish to receive support or are a partner of Circular Revolution:

- Name and contact details of individuals who make enquiries to Circular Revolution via telephone, email or the website "Contact Us" or "Get Involved" pages and/or who self-register for events and/or newsletters; and
- Name and contact details of named individuals within organisations with whom we make contact by telephone, email or post where appropriate.
- Interests in relation to the circular economy and types of support sought from Circular Revolution ;



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- Information about an individual's engagement with the project such as attendance at events and workshops, collaborative activity and research, consultancy, etc.
- Information relating to the provision of guidance and support.
- Health information such as dietary or accessibility requirements.
- Photographs at our support/promotional events.

Circular Revolution will collect information about you in the course of its dealings with you as a current or former client/partner. We may also receive information about you from outside the project such as from project partner organisations, e.g. WEFO. Your information will be managed appropriately by Circular Revolution and in accordance with the processing as outlined within this privacy statement.

### **Why do we collect personal information and how do we use it?**

The purpose for collecting your personal information includes:

1. To evaluate eligibility for Circular Revolution's support according to funding compliance requirements and the project approval process;
2. To monitor and evaluate engagements at operation management and governance level;
3. To report to project funders and government data requests; and
4. To keep in touch and provide you with the optimal support, informing you of Circular Revolution news, events and highlights that could benefit your enterprise

If a situation should arise where we need to use your data other than for the reasons listed above, we will be in touch with you to clearly communicate the purpose and lawful basis as well as your rights.

On occasion, you might supply us your sensitive personal information to attend one of our events (e.g. accessibility or dietary needs), such personal information will be used only for this intended purpose and will be kept for no more than 18 months unless requested otherwise. At our events we may have a photographer present taking general photographs used to promote the event, or if you have applied to be in formal activity of the event e.g. a competition/speaker we will usually take photos of the presentation. We will provide opportunities to opt out of close-up photographs at the events.

We are providing general assistance and guidance rather than formal advice, so to be clear any responsibility arising from the consequences of the decisions you make in relation to your organisation and IP remains with you.

### **What is our legal basis for processing?**

**Data which we are required to collect on behalf of WEFO (Section A above)**



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The relevant section of the GDPR for collecting personal data in relation to the Structural Funds is Article 6(1)(e) where: *“processing is necessary for the performance of a task carried out in the exercise of official authority vested in the controller”*.

The relevant section of the GDPR for collecting special category data in relation to Structural Funds is Article 9(2)(g) where *“processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject”*

The European Regulations governing Structural Funds give the Welsh Government official authority to process the personal data referred to above. Article 54(2) of Regulation (EU) No 1303/2013 common provisions on the European Structural and Investment Funds (CPR Regulation) states that *“Member States shall provide the resources necessary for carrying out evaluations, and shall ensure that procedures are in place to produce and collect the data necessary for evaluations, including data related to common and where appropriate programme-specific indicators.”*

### **Data which is Collected and Processed by Circular Revolution (Section B above)**

There is a legitimate interest for us to process your data to provide you with direct marketing including information relating to opportunities for support, up-to-date news and up and coming events of interest (Article 6(1)(f) of the GDPR). A Legitimate Interests' Assessment (Addendum 1) has been carried out to ensure your personal data is used appropriately and in ways you would reasonably expect with minimal privacy impact. You have the right to object to processing for the purposes of direct marketing if you wish and will always be given the opportunity to unsubscribe to future communications.

Where processing of personal data is necessary in order to provide you with a product or service, the processing is necessary for the performance of a contract or in order to take steps at the request of the individual prior to entering into a contract.

Some processing may be necessary for the purposes of the legitimate interests pursued by Circular Revolution or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data for example the use of photography at our events. We will only process special categories of data, for example, dietary needs collected at events, with your explicit consent.

### **Who receives your personal information?**

Your personal information will be stored on our secure electronic systems and databases and will be shared with relevant colleagues in Circular Revolution to provide you services and guidance. Personal information is protected and will not be disclosed to third parties without consent except when necessary as part of our contractual obligations e.g. to project funders or partners of the project supporting your interaction with us. For Example, Circular Revolution is funded by ERDF via WFEQ so your information will be shared with those funders as a condition of our funding.



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Information is made available to persons or organisations requiring access for the reasons outlined above. These include:

- Circular Revolutions academic, technical and administrative staff;
- University operation governance and management boards;
- External funders and partners/advisors directly involved with your collaboration with Circular Revolution;
- Third party data processors, acting on behalf of Circular Revolution or our external funders and partners/advisors who may contact you directly in order to gather information to enable the evaluation process;

Circular Revolution will use third party processors such as:

- a) Eventbrite - event management and ticketing;
- b) Zoom - video conferencing;
- c) WordPress and WPForms - host for online contact form

And as reasonably updated from time to time.

In the event of an international transfer of data, appropriate safeguards such as standard contractual clauses will be implemented and processing will be based on documented instructions of Riversimple Movement Limited.

### **How your personal information is stored?**

Data Protection legislation requires us to keep your information secure. This means that your confidentiality will be respected, and all appropriate measures will be taken to prevent unauthorised access and disclosure. Only members of staff who need access to relevant parts or all of your information will be authorised to do so. Information about you in electronic form will be securely stored and password protected. Circular Revolution uses third party cloud services to store and process personal data. There may be times where your personal data may reside on servers outside the EU. Where there is processing outside of the EU, Circular Revolution will ensure then any transfers are secure, lawful and justified in line with the UK-GDPR.

### **How long will your information be held?**

Your personal data may be held the duration of your engagement with Circular Revolution and for a reasonable period of time upon its conclusion to comply with regulatory audit and as long as necessary to maintain the relationship. Information held for research and archiving purposes may be kept for longer and in line with the UK-GDPR Article 89 safeguards.

### **What are your rights?**

You have a right to access your personal information, to object to the processing of your personal information, to rectify, to erase, to restrict and to port your personal information (please note however that this is likely to affect our ability to provide support to you in the most effective way, if



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at all). If you have provided consent to Riversimple Movement Limited, Swansea University and/or the University of Exeter to process any of your data, then you also have a right to withdraw that consent. Please visit the Data Protection webpages for further information in relation to your rights.

Any requests or objections should be made in writing to the relevant Data Protection Officer:

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|---------------------------------|--|
| <b>Riversimple Movement Ltd</b> | Riversimple GDPR Committee, Unit 32 Ddole Rd Enterprise Park, Llandrindod Wells, LD1 6DF                               |
| <b>Swansea University</b>       | University Compliance Officer (FOI/DP), Vice-Chancellor’s Office, Swansea University, Singleton Park, Swansea, SA2 8PP |
| <b>University of Exeter</b>     | Compliance, Governance and Risk. The Univeristy of Exeter, Lafrowda House, St. German's Road, Exeter, EX4 6TL          |

If you are unhappy with the way in which your personal information has been processed, you may in the first instance contact the relevant Data Protection Officer using the contact details above. If you remain dissatisfied, then you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: -

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

[Their website can be accessed at www.ico.org.uk](http://www.ico.org.uk), and concerns may be reported at <https://ico.org.uk/concerns/>.

### Your responsibilities

Please advise of any changes to your name, address, contact details, etc as soon as practically possible so that we can amend our records accordingly.

### Consequences of not providing your information

The consequences of not providing your information when necessary for the performance of a contract or in order to take steps at the request of the individual prior to entering into a contract, would mean that the Project will not be able to offer you some and indeed possibly none of its products and services without it.

### Changes to our Privacy Policy

Any changes we make to our privacy policy in the future will be posted on this page and where appropriate, notified to you by email. Please check back frequently to see and updates or changes to our privacy policy.



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**Addendum 1: Legitimate Interests' Assessment**

| <b>A) Identifying a Legitimate Interest</b>   |  |  |
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| <b>Question</b>   | <b>Answer</b>  | <b>Guidance</b>  |
| What is the purpose?  | To contact individuals who have previously shown interest in the Circular Revolution programme to inform them of support available/future events/ pilot projects.  | The first stage is to identify to a Legitimate Interest- what is the purpose for processing the personal data?   |
| Is the processing necessary to meet one or more specific organisational objectives?     | Yes, providing enterprises across West Wales and the Valleys with an opportunity to benefit from the programme's services, by hearing about the research activities we can offer and our events, to learn from other business engagement activities or to keep in touch with those enterprises with whom we have collaborated. | If the processing operation is required to achieve a lawful business objective, then It is likely to be legitimate for the purposes of this assessment.  |
| Is the processing necessary to meet one or more specific objectives of any Third Party? | Reporting to WEFO on the programme's effectiveness in terms of number of outputs and indicators. Including (but not limited to) enterprises engaged with or collaborating with the Circular Revolution, staff appointments from the project and cross cutting themes.  | While you may only need to identify one Legitimate Interest for the purposes of an LIA-the Interest that you are seeking to rely on - it may be useful to list all apparent interests in the processing, those of you as the Controller, as well as those of any Third Party who are likely to have a Legitimate Interest. |
| Are there any wider public benefits to the processing?                                  | The programme aims to increase the sustainability of Welsh businesses. By reaching more businesses there is arguably a public benefit in terms of achieving greater sustainability in Wales.   |  |
| How important are those benefits?   | A sustainable future is a global imperative.   |  |
| What would be the impact if you couldn't go ahead?                                      | Reduced effectiveness of the programme.  |  |
| Would your use of the data be unethical or unlawful in any way?                         | No.  |  |
| <b>B) The Necessity Test</b>  |  |  |
| Why is the processing activity important to the Controller?                             | To assess the effectiveness of the circular revolution programme and use of public funds.  | A Legitimate Interest may be elective or business critical; however, even if the Controller's interest in processing personal  |



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|  | To keep in touch and provide individuals/enterprises with the optimal support, informing them of Circular Revolution news, events and highlights that could benefit their enterprise. | data for a specific purpose is obvious and legitimate, based on the objectives of the Controller, It must be a clearly articulated and communicated to the individual.   |
| Why Is the processing activity important to other parties the data may be disclosed to, if applicable? | To carry out the programme of activity – supporting and collaborating with businesses on the circular economy.  | <p>A Legitimate Interest could be trivial or business critical, however, the organisation needs to be able to clearly explain what it is. Some purposes will be compelling and lend greater weight to the positive side of the balance, while others may be ancillary and may have less weight in a balancing test. Consider whether your Interests relate to a fundamental right, a public interest or another type of interest.</p> <p>Just because the processing is central to what the organisation does, does not make it legitimate. It is the reason for the processing balanced against the potential impact on an individual's rights that is key.</p> <p>It is important to consider whose Legitimate Interests are being relied on. Understanding this will help inform the context of the processing. In combination with the reason the Personal Data is being processed, this information will determine the weight of the Legitimate Interest that needs to be balanced.</p> |
| Is there another way of achieving the objective?   | No.   | <p>If there isn't, then clearly the processing is necessary; or</p> <p>If there is another way but it would require disproportionate effort, then the processing is still necessary; or</p> <p>If there are multiple ways of achieving the objective, then a Privacy Impact Assessment should have identified the least</p>  |



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|   |   | intrusive means of processing the data which would be necessary;<br>or<br>If the processing is not necessary (It is unlikely that there will be many scenarios where a processing operation is not necessary where It has been identified as being a means to achieve a stated business objective) , then Legitimate Interests cannot be relied on as a lawful basis for that processing activity |
| <b>C) The Balancing Test</b>  |   |   |
| What is the nature of the relationship with the individual?                     | Professional. Either through direct engagement or knowledge transfer at organized events/webinars or through collaboration on pilot projects.   |   |
| Would the individual expect the processing activity to take place?              | Yes. Data is collected either following direct contact with those interested in the support or collaboration Circular Revolution can offer. Or, via sign up to events we are running.<br>It is reasonable, in this context, that individuals will expect for processing of the data in order to carry out the activity. | If individuals would expect the processing to take place then the Impact on the individual is likely to have already considered by them and accepted. If they have no expectation, then the impact is greater and is given more weight in the balancing test  |
| Is any of the data particularly sensitive or private?                           | In very limited circumstances - data pertaining to accessibility or dietary requirements collected for the safe and efficient running of events and activities.   |   |
| Are some people likely to object or find it intrusive?                          | This is considered unlikely, as the data is requested to improve engagement with Circular Revolution  |   |
| Does the processing add value to a product or service that the individual uses? | Yes, it brings their attention to future events/services/ activities that they otherwise may not have been aware of.  |   |
| What is the possible impact on the individual?                                  | Circular Revolution will seek to communicate/ engage (by email, phone, video conference/ in - person) with individuals in a professional capacity based on the  |   |



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|   | data they have provided and the activities on offer.   |  |
| How big an impact might it have on them?                | Detrimental impact is not foreseen.  |  |
| Are you processing children's data?                     | No   |  |
| Are any of the individuals vulnerable in any other way? | This is not expected as engagement is targeted at companies and individuals on a professional capacity.<br>Whilst unlikely, it would also be unknown as the data collected is not intended to capture or process information of this nature. |  |
| Can you adopt safeguards to minimise the impact?        | Include the option to not be contacted about future events/services/ activities when signing up.   |  |

**D) Reaching a Decision**

You then need to make a decision about whether you still think legitimate interests is an appropriate basis. There's no fool proof formula for the outcome of the balancing test – but you must be confident that your legitimate interests are not overridden by the risks you have identified. Keep a record of your LIA and the outcome. There is no standard format for this, but it's important to record your thinking to help show you have proper decision-making processes in place and to justify the outcome.

Keep your LIA under review and refresh it if there is a significant change in the purpose, nature or context of the processing.

If you are not sure about the outcome of the balancing test, it may be safer to look for another lawful basis. Legitimate interests will not often be the most appropriate basis for processing which is unexpected or high risk.

If your LIA identifies significant risks, consider whether you need to do a DPIA to assess the risk and potential mitigation in more detail.

**Outcome of Assessment:**

DPO input - Processing appears to be balanced and proportionate. Personal data is likely to be used in ways individuals would reasonably expect and will have a minimal impact on privacy. Processing is unlikely to cause unjustified harm.

Signed By: *fiona spowers*

Dated: 07/01/2022



**Review Date: 07/01/2023**

**What else do you need to consider?**

You must tell people in your privacy notice that you are relying on legitimate interests, and explain what these interests are.

If you rely on legitimate interests, the right to data portability does not apply.

If you are relying on legitimate interests for direct marketing, the right to object is absolute and you must stop processing when someone objects. For other purposes, you must stop unless you can show that your legitimate interests are compelling enough to override the individual's rights.