

Privacy Notice

General information

- This Privacy Notice provides information about what to expect when the Welsh Language Commissioner (“the Commissioner”) collects, uses, discloses, transfers and keeps your personal data.
- The Welsh Language Commissioner is the Data Controller for the data she collects from you, unless otherwise stated.
- To contact the Welsh Language Commissioner’s Data Protection Officer, please do not hesitate to contact us.
- The Commissioner is committed to protecting personal information that she receives. Whenever the Commissioner receives information, she has a legal duty to use the information in accordance with all relevant laws on the protection of personal information, including the UK General Data Protection Regulation and the Data Protection Act 2018 (these laws are collectively referred to in this notice as “data protection law”).

How the Commissioner obtains information

Most of the personal information the Commissioner processes is provided directly by you for one of the following reasons:

- You have made a complaint or enquiry to the Commissioner;
- You have requested information from the Commissioner;
- You wish to attend an event, or you have attended an event organised by the Commissioner;
- You subscribe to our e-newsletter;
- You have applied for a job or secondment with us;
- You represent your organisation.

The Commissioner also receives personal information indirectly, in the following situations:

- From an organisation that the Commissioner has contacted regarding a complaint you made and that the organisation provides us with your personal information in its response;
- A complainant refers to you in his/her correspondence regarding a complaint;
- Personal information received in the exercise of the Commissioner's statutory functions;
- You have ordered laith Gwaith goods and consented to your information being passed on to us;
- You have captured personal information as part of an investigation;
- From other public authorities, other regulators or law enforcement bodies;
- Where you have made your contact information available on your website or publication and we use it to contact you and your organisation in our role as regulator;
- An employee gives your contact details as an emergency contact or as a referee.

Your Data Protection Rights under Data Protection Law

You have various rights under Data Protection Law. Those rights depend on the reason for processing your information. These may include (as applicable):

- **Your right to access:** you have the right to ask the Commissioner for copies of your personal information. This right always applies. There are some exceptions, which means that you may not always receive all the information the Commissioner processes.

- **Your right to a correction:** you have the right to ask the Commissioner to correct information you believe to be inaccurate. You are also entitled to ask the Commissioner to complete information which you believe is incomplete. This right always applies.
- **Your right to delete information:** you have the right to ask the Commissioner to delete your personal information in particular circumstances.
- **Your right to restrict processing:** you have the right to ask the Commissioner to restrict the work of processing your information in certain circumstances.
- **Your right to object to processing:** you have the right to object to processing if the Commissioner is able to process your information because the process is part of her public task, or is in the legitimate interests of the Commissioner.
- **Your right to a data transfer:** this right only applies to information you have provided to the Commissioner. You have the right to ask the Commissioner to pass on the information you have provided from one organisation to another, or give it to you. This right only applies if the information is processed on the basis of your consent, or under discussions or in discussions about entering into an agreement and the processing is automated.

You are not required to pay any fee for exercising your rights. In some circumstances, the law may allow us to charge a fee. We will tell you if a fee is to be charged when you make your application. If you wish to exercise any of your rights, please contact the Welsh Language Commissioner's Data Protection Officer on the contact details below.

The Commissioner has one month to respond to you.

[Contact us if you wish to submit a request.](#)

Adjusting Services

The Welsh Language Commissioner is a public body and a provider of services to the public. The Commissioner is under a duty to comply with the Equality Act 2010.

This means that the Commissioner needs to make service adjustments for anyone with a disability who contacts us in any capacity, in order to remove any barriers that prevent the individual from accessing our services.

Our basis for processing this information is Article 6(1)(c) of the GDPR as we are legally obliged to provide this. Our processing of special category data, such as health information you provide to us, is based on article 9(2)(a), which means that we need your consent when processing this information.

We will create a record of your needs for adjustments. These will give your name, contact details and the type of adjustment needed, along with a brief description of why it is needed. The relevant staff can see this to ensure that they communicate with you in the necessary way in accordance with your wishes.

As your consent is required to process your special category data, you have the right to withdraw your consent at any time.

Legal Basis

- The legal basis under which the Commissioner processes your information is in order to allow the Commissioner to exercise her statutory powers in accordance with the Welsh Language (Wales) Measure 2011.
- Your consent may also be a legal reason for processing your personal data. This means your explicit, informed and unambiguous consent freely given and which can be inferred from you, for example, when you agree to receive marketing communications from the Commissioner or when you agree to participate in surveys or market research (as applicable). You have the right under Data Protection Law to withdraw your consent where it was granted, at any time.

Sharing your information

- The Commissioner will not share your personal information with any third party for direct marketing purposes.
- We use third-party data processors who provide elements of services on our behalf. We have agreements in place with our data processors. This means they are unable to do anything with your personal information unless we have instructed them to do so. These third-party suppliers will not share your personal information with any organisation other than the Welsh Language Commissioner. The third-party suppliers will also keep the personal information secure and for a period that the Commissioner directs.
- In certain circumstances the Commissioner is under a legal obligation to share information, for example, under a court order or in co-operation with other supervisory authorities in dealing with complaints or investigations. In any situation, the Commissioner will satisfy herself that there is a legal basis for sharing the information and will record the decision-making procedure and the legal basis for sharing the information.

Transfer to countries outside the UK and EEA

- Your information will not be transferred outside the UK.

Links to other websites

When we provide links and contacts to other organisations' websites, whether on the Commissioner's website or on the Commissioner's social media channels, this privacy notice does not include how that organisation processes personal information. We encourage you to read the privacy notices of the other websites you visit.

Children's Information

- The Commissioner does not provide services directly to children or proactively collect their personal information. However, information about children is sometimes given when the Commissioner deals with a complaint or carries out an investigation, or exercises her powers under sections 8-10 of the Welsh Language (Wales) Measure 2011. The information in the relevant parts of this notice applies to children as well as adults.

Visitors to the website

- Information about how the Commissioner monitors visitor activity and uses cookies can be found on the Cookies page of the Commissioner's website - [Cookies Policy \(welshlanguagecommissioner.wales\)](https://www.welshlanguagecommissioner.wales/cookies-policy)
- The Commissioner uses a third-party web application firewall to help maintain the security and performance of her website. The service checks that traffic to the website is behaving as expected. The service will block traffic that does not use the website as expected.
- The purpose of implementing the above is to maintain and monitor the performance of the website and to continually strive to improve the website and the services it offers users. The legal basis upon which the Commissioner relies to process your personal data is either Article 6(1)(a) of the UK GDPR, for example when she requests your consent to set discretionary cookies used, or Article 6(1)(f) of the UK GDPR which allows the processing of personal data where necessary for the legitimate interests of the Commissioner, for example, in order to maintain the integrity of her IT systems and the continuation of her business.
- As the Commissioner processes your personal data for her legitimate interest as set out above, you have the right to object to the processing

of your personal data. There are valid reasons why she may refuse your objection, which depends on why she processes it.

Your right to complain

- The Commissioner works to high standards in terms of processing your personal information. If you have any queries or concerns, please contact her using the contact details above and she will respond.
- If you remain dissatisfied, you can complain to the Information Commissioner about how the Commissioner has processed your information: ico.org.uk

Relationship Management

We can place a restriction on your access to our services if necessary to protect our staff from any unacceptable behaviour, as defined in our [policy on unacceptable behaviour](#).

The legal basis on which we rely to process your personal data is article 6(1)(e) of the General Data Protection Regulation (GDPR), which allows the Commissioner to process personal data where necessary in order to carry out our tasks as a regulator as set out in the Welsh Language (Wales) Measure 2011.

If the Commissioner restricts the provision of any service to an individual, we will explain the restriction we have applied and why the services provided need to be restricted. A record of the restriction will be created for administrative purposes, in order to ensure that relevant members of the Commissioner's staff are aware that a restriction on services has been imposed. The record will include your name, contact details and a description of why a restriction has been imposed.

The decision to impose a restriction will be taken and reviewed by the Commissioner's strategic director. We will write to you to explain why a

restriction has been imposed. We will also review the restriction from time to time. We will also consider lifting the restriction if there is evidence of a change in behaviour or if you no longer communicate with us.

Changes to this privacy notice

The Commissioner regularly reviews the privacy notice to ensure that it is up to date and accurate.

Reasons for contacting the Commissioner

This part of the privacy notice provides information specific to your reason for contacting the Welsh Language Commissioner.

Making a complaint about another organisation

The purpose is to investigate and take regulatory action in accordance with the Commissioner's statutory duties.

The legal basis upon which the Commissioner relies to process your personal data is Article 6(1)(e) of the UK GDPR, which allows her to process personal data where necessary to carry out her public functions as a regulator.

If the information you provide in relation to your complaint includes special category data, such as health, religious or ethnic information, the basis upon which the Commissioner will rely for processing is Article 9(2)(g) of the UK GDPR, which also relates to her public task and the safeguarding of your fundamental rights, and Schedule 1 of part 2(6) of DPA 2018 which relates to statutory and governing purposes.

When you submit your complaint, we will invite you to share information with us about your:

- 'protected characteristics' under the Equality Act 2010 (e.g. age, disability, race, religion or belief – including lack of belief, gender, sexual orientation, gender reassignment, marital status, pregnancy and maternity);

- Socio-economic status (e.g. your educational attainment, employment status or caring responsibilities); and
- Your Welsh language capability.

You are not required to provide us with this information, but it will help us to meet our legal and statutory obligations, as well as to improve the accessibility of our service in general. It should be noted that the way we deal with your complaint will not be affected if you decide that you do not wish to share this information with us. There will also be an opportunity to choose not to disclose this information when responding to each question.

If you submit a complaint to the Welsh Language Commissioner

- Through our website – there will be a choice if you want to share equality data with us on the complaint form;
- In writing by e-mail or by post – we will invite you to share your equality information with us either by completing an on-line equality form or a paper form, depending on your choice of contact method.

If you wish to share the equality information with us via our website, your responses will be added to your case record. By completing the equality survey on-line or by completing the equality form in writing, your case reference number should be entered with your response, in order to facilitate the administration of this information.

Your responses will only be seen by staff of the Commissioner's Office who handle data analysis, and any officer who assesses or investigates your complaint will not see your responses on the equality questions.

The statistics and data presented in response to the equality questionnaire and an analysis of this information will form part of the Commissioner's Annual Report. The Commissioner will treat this data carefully so that it is not possible to identify individuals from the data we publish.

Information when submitting a complaint

The Commissioner requires information from you in order to properly investigate your complaint.

When it receives a complaint from you, an electronic file will be opened. This will usually include your contact details and any other information you have provided about the other parties to your complaint.

The Commissioner needs to know the details of your complaint so that she can investigate it and carry out her regulatory function.

The Commissioner will use your personal information to investigate your complaint. The Commissioner collects and publishes statistics that show information such as the number of complaints received in his annual report, but not in a form that identifies anyone.

No third party has access to your personal information unless the law allows them to do so. However, if you have made a complaint about an organisation, the Commissioner will usually disclose your identity to them. This is so that she can explain clearly to them what you think has gone wrong. This also means that the Commissioner can receive information about you from them.

If you do not want your personal information to be shared with the organisation you wish to complain about, the Commissioner will endeavour to respect that; however, this may affect the Commissioner's ability to carry out her functions.

If you are acting on behalf of someone making a complaint, the Commissioner may ask for information in order to be satisfied of your identity and, if relevant, will request information to show that you have authority to act on behalf of someone else.

The Commissioner has a retention schedule which sets out how long personal data will be held.

The Commissioner is acting in her official capacity to investigate your complaint, so you have the right to object to it processing your personal

data. There are valid reasons why she may refuse your objection, which depends on why she is processing it.

The Commissioner does not use any data processors.

Making a complaint about the Commissioner

Our purpose is to investigate and take regulatory action in accordance with the Commissioner's statutory duties.

The legal basis upon which the Commissioner relies to process your personal data is Article 6(1)(e) of the UK GDPR, which allows the Commissioner to process personal data where necessary to carry out public functions.

If the information you provide in relation to your complaint includes special category data, such as health, religious or ethnic information, the basis upon which the Commissioner will rely for processing is Article 9(2)(g) of the UK GDPR, which also relates to her public task and the safeguarding of your fundamental rights, and Schedule 1 of part 2(6) of DPA 2018 which relates to statutory and governance purposes.

The Commissioner requires information from you in order to properly investigate your complaint.

When she receives a complaint from you, an electronic file will be opened. This will usually include your contact details and any other information you have provided about your complaint.

The Commissioner will use your personal information to investigate your complaint. The Commissioner collects and publishes statistics that demonstrate information such as the number of complaints received in her annual report, but not in a form that identifies anyone.

No third party has access to your personal information unless the law allows them to do so. However, sometimes the Commissioner may need to provide your information to another individual, for example an independent

consultant. Where information is disclosed, it is done in accordance with the requirements of the Measure or in the interests of natural justice.

If you are acting on behalf of someone making a complaint, the Commissioner may ask for information in order to be satisfied of your identity and, if relevant, will request information to show that you have authority to act on behalf of someone else.

The Commissioner has a retention schedule which sets out how long personal information will be held.

The Commissioner is acting in her official capacity to investigate your complaint, so you have the right to object to her processing your personal data. There are valid reasons why she may refuse your objection, which depends on why she is processing it.

The Commissioner does not use any data processors.

Making an enquiry

When you contact the Commissioner with an enquiry, information is collected including your personal data in order to respond to it and carry out her statutory functions.

The legal basis upon which the Commissioner relies to process your personal data is Article 6(1)(e) of the UK GDPR, which allows her to process personal data where necessary to carry out public functions.

If the information you provide in relation to your complaint includes special category data, such as health, religious or ethnic information, the basis upon which the Commissioner will rely for processing is Article 9(2)(g) of the UK GDPR, which also relates to her public task and the safeguarding of your fundamental rights, and Schedule 1 of part 2(6) of DPA 2018 which relates to statutory and governance purposes.

You need to provide sufficient information to the Commissioner in order to be able to consider and respond to your enquiry. If you telephone the

Commissioner, an audio recording will not be made but personal information may be taken to provide you with a further service as necessary.

If you contact the Commissioner by e-mail or by post, a return address will be required to progress the Commissioner's response.

The Commissioner will keep a copy of your enquiry and also a record of the response provided by the Commissioner. The Commissioner uses the information provided to deal with the enquiry and any subsequent issues that may arise as a result of the enquiry.

The Commissioner has a retention schedule which sets out how long personal data will be held.

The Commissioner is acting in her official capacity to investigate your enquiry, so you have the right to object to her processing your personal data. There are valid reasons why she may refuse your objection, which depends on why she is processing it.

The Commissioner does not use any data processors.

Applying for a job or secondment

The Commissioner's purpose for processing the information provided is to assess your suitability for a role for which you have applied.

The legal basis upon which the Commissioner relies for the processing of your personal data is Article 6(1)(b) of the UK GDPR, which relates to processing necessary to deliver an agreement or to take action on your application, before entering into an agreement.

If you provide any information about reasonable adjustments you require under the Equality Act 2010 the legal basis upon which the Commissioner relies for the processing of this information is Article 6(1)(c) to comply with legal obligations under the Data Protection Act.

The legal basis upon which the Commissioner relies to process any information you provide as part of your application which is special category

data, such as health, religious or ethnicity information, is Article 9(2)(b) of the UK GDPR, which relates to her obligations in employment and the protection of your basic rights, and Schedule 1, part 1(1) of the Data Protection Act 2018 which again relates to processing for employment purposes, assessing your ability to work and preventative or vocational medicine.

The Commissioner processes information about the criminal convictions and offences of applicants. The legal basis upon which she relies to process this data is Article 6(1)(e) for carrying out her public task. In addition, she depends on the processing condition in Schedule 1 part 2 paragraph 6(2)(a).

The Commissioner uses all the information you provide during the recruitment process to progress your application with a view to offering you an employment contract, or to meet legal or regulatory requirements if necessary.

The Commissioner will not share any part of the information you provide with any third party for marketing purposes.

The Commissioner will use the contact details you provide to contact you to progress your application. The other information you provide will be used to assess your suitability for the role.

The Commissioner does not collect any more information than is necessary to fulfil the stated purposes and will not keep it longer than necessary.

The information requested will be used to assess your suitability for employment. You do not have to provide what is requested but it may affect your application if you do not do so.

We ask you to include personal details including your name and contact details. We will also ask for details of any previous experience, education, referees and for answers to questions relevant to the post applied for. All information submitted as part of the application will be seen by the Commissioner's human resources staff.

You will also be asked to provide equal opportunities information. This is not compulsory – if you do not provide it, your application will not be affected. The Commissioner will not make the information available in a way that can identify you. Any information you provide will be used to produce and monitor equal opportunities statistics.

If a third-party applicant management expert is involved in the selection process, then your personal details will be shared with them.

The Commissioner may ask you to complete tests and to attend an interview. Information will be produced by you and by the Commissioner, for example, you may complete a written test, or the Commissioner may take interview notes. The Commissioner retains this information.

If you are unsuccessful after being assessed for the role, the Commissioner may ask whether you would like your details to be held in a talent pool. If you wish to be included in such a pool, the Commissioner would proactively contact you should any other suitable vacancies arise. The Commissioner will retain personal information about unsuccessful applicants for a period of no more than two months after the recruitment process has ended; thereafter it will be destroyed or deleted.

If the Commissioner makes a conditional offer of employment, she will ask you for information so that she can carry out checks before employing you. You must successfully complete pre-employment checks to progress to a final offer. The Commissioner must confirm the identity of her staff and their right to work in the United Kingdom, and seek assurances about their reliability, honesty and trustworthiness.

You must therefore provide:

- Proof of your identity with original documents; copies will be taken
- Proof of your qualifications with original documents; copies will be taken;
- Criminal records declaration to declare any unspent conviction.

Referees will be contacted directly, using the details you provide in your application.

The Commissioner will also ask you for any reasonable adjustments you may need under the Equality Act 2010. This information will be shared with the relevant staff to ensure that these are in place for when you start your employment with the Welsh Language Commissioner.

If a final offer is made, the following information will be requested:

- Bank details – to process monthly salary payments
- Emergency contact details – so the Commissioner knows who to contact in case you are in an emergency situation at work
- Any membership of a pension scheme.

If you accept a final offer of a post with the Welsh Language Commissioner, some of your personnel records will be held on **Staffology**, which is an internal human resources records system. This is a link to the Staffology privacy notice: [Privacy Policy | Staffology](#).

Similarly, your details will be passed to **MyCSP** which administers the Civil Service Pension Scheme in which we are a member organisation. You will be automatically enrolled into the pension scheme and the details given to MyCSP are your name, date of birth, National Insurance number and salary. Your bank account details will not be passed to MyCSP at this time. This is a link to the MyCSP privacy notice [Privacy - Civil Service Pension Scheme](#).

The Commissioner's Code of Conduct requires all staff to declare whether they have any potential conflicts of interest. The information will be stored on your personnel file. You will also need to declare any secondary employment.

As an individual, you have certain rights about your own personal data.

Existing and former officers

Officers should refer to the privacy notice for officers. When your employment with the Commissioner ends, she will keep information about you in accordance with the requirements of the retention and disposal policy, and then delete it.

Attending an event, seminar or workshop

The Commissioner collects information to facilitate the event and provide you with an acceptable service. This information is also needed to respond to you.

The legal basis on which she relies for processing your personal data is your consent under Article 6(1)(a) of the UK GDPR. When collecting any information about dietary or access requirements, your consent is also needed (under Article 9(2)(a)) as this type of information is counted as special category data.

If you wish to attend one of the Commissioner's events, you will be asked to provide your contact information including the name of your organisation and, if offered a place, information about any dietary requirements or access provisions you may require. The Commissioner may request a payment if payment is required to attend an event.

If you are unsuccessful in securing a place at an event, the Commissioner will inform you and keep your details on a reserve list in case a place becomes available before the event.

If you are given a place at an event, she will ask for information about any dietary / access requirements. This information will not be shared with the venue in any way that makes it possible to identify you and will be deleted after the event.

The Commissioner will not publish lists of event members.

The Commissioner has a retention schedule which sets out how long personal data will be held.

The Commissioner relies on your consent to process the personal data you provide to facilitate the event. This means you have the right to withdraw your consent at any time. If at any time you wish to withdraw your consent, please e-mail or telephone the Commissioner's office. If you do, the records will be updated immediately to reflect your wishes.

From time to time the Commissioner will use data processors to help facilitate the events. If this is done, details of the processors used will be noted with the information about the event.

Registering for a webinar or a live broadcast event

The Commissioner collects this information to facilitate the video conference, webinar or live broadcast event and to provide wider access to its content.

The legal basis on which she relies for processing your personal data is Article 6(1)(a) of the UK GDPR.

If you attend or present at one of these events, an e-mail address will be needed from you. This will be to register you for the webinar or event and to supply you with a recording of the webinar after the event.

The Commissioner will not publish lists of individuals attending the webinar or the live broadcast event.

Some events are recorded and each presenter's image and sound is captured in the recording. If you are involved in the event, you may have the option whether to share your image and sound. If you choose to do so, this will also be captured in the recording.

- Some events include a moderated question-and-answer session. If you choose to take part in the moderated question-and-answer session, your comments may be made public to others at the event and will also form part of the recording.

- If an event is recorded, you will always be notified in advance of any recording.
- The Commissioner will use your e-mail address to provide you with details of the event. This will include information about any recording that takes place. For recorded events she will also send you a link of the recording after the event has ended.
- For some events, the recording may be published on the Commissioner's website or YouTube channel so that it is accessible to a wider audience. If an event recording is published, you will always be notified in advance.
- The Commissioner will not publish lists of attendees, but your name and e-mail address may be visible to others present during the event.
- The Commissioner has a retention schedule which sets out how long personal data will be held. The Commissioner uses Zoom or Microsoft Teams for the delivery of webinars and live broadcast events.
- The Commissioner uses YouTube to publish recordings of some events.

Subscribing to the Welsh Language Commissioner's Newsletter

The Commissioner's purpose in collecting the information about subscribers to the Commissioner's Newsletter is to provide you with a service and to inform you of forthcoming events and of any news that the Commissioner wishes to share with an individual or organisations wishing to receive the newsletter.

The legal basis on which the Commissioner relies for processing your personal data is Article 6(1)(a) of the GDPR.

We will need your name and e-mail address to be able to link with the e-newsletter we publish.

We will only use your details to provide the e-newsletter service.

The Commissioner will collect statistics regarding opening e-mails and clicks using standard industry software, including clear 'gifs' to help us monitor and improve our provision when providing e-newsletters.

You will receive an e-mail to confirm after you have provided your details, and the newsletter will then be provided on a regular basis.

The Commissioner has a retention schedule which sets out how long personal data will be held.

We rely on your consent to process the personal data you give us for marketing purposes. This means that you have the right to withdraw your consent, or to object to our processing of your personal data at any time. If you do, we will update our records immediately to suit your wishes.

We use **EmailBlaster** as a data processor. EmailBlaster distributes the e-newsletter on behalf of the Welsh Language Commissioner. For more information about EmailBlaster, see its privacy notice here [Email Blaster Privacy Statement \(emailblasteruk.com\)](https://www.emailblasteruk.com/privacy-statement)

Applying for our 'Working Welsh'/'Iaith Gwaith' publications and marketing products

The Commissioner's purpose in collecting this information is to be able to post the publications and marketing materials requested.

The legal basis on which we rely to process your personal data is article 6(1)(a) of the UK GDPR.

You will need to provide your name, position and address details to be able to supply the goods requested.

We will use this information to produce statistical reports on the types and numbers of goods requested for monitoring purposes, but this information will not contain any personally identifiable information. We will also note the name of the organisation requesting these specific goods and conduct an occasional survey for the purpose of reporting on the organisation's progress following the use of these goods within the workplace.

We rely on your consent to process the personal data you provide to us, in order to provide this service. This means you have the right to withdraw your consent at any time. If you do, we will update our records immediately to suit your wishes.

The Commissioner may use data processors and third-party organisations to provide this service. If so, the name and privacy notice of those organisations is set out on the application form for the goods requested. These organisations are only permitted to use the information to send the goods.

Instigating or intervening in legal proceedings or providing legal assistance to an individual

- The purpose is to instigate or intervene in legal proceedings, or to provide legal assistance, in accordance with the Commissioner's statutory duties. The legal basis upon which the Commissioner relies to process your personal data is Article 6(1)(e) of the UK GDPR, which allows her to process personal data where necessary to carry out her public functions as a regulator.
- If the information you provide includes special category data, such as health, religious or ethnic information, the basis upon which the Commissioner will rely for processing is Article 9(2)(g) of the UK GDPR, which also relates to her public task and the safeguarding of your

fundamental rights, and Schedule 1 of part 2(6) of DPA 2018 which relates to statutory and governance purposes.

- In the case that it becomes necessary to use your data relating to any criminal convictions the Commissioner will do this, in relation to your legal application, under her statutory functions and in accordance with Article 10 of the UK GDPR and DPA 2018 Schedule 1 part 3(33).
- The Commissioner needs information from you to consider initiating or intervening in legal proceedings, or to provide you with legal assistance.
- No third party has access to your personal information unless the law allows that. However, sometimes your information may need to be passed on to someone else, for example the Commissioner's solicitors. When your information is disclosed, it will be done in accordance with the requirements of the Measure or in the interests of natural justice.
- The Commissioner has an information retention and disposal policy which sets out how long personal information will be held.
- The Commissioner acts in her official capacity in considering to instigate or intervene in legal proceedings, or providing legal assistance, so you have the right to object to her processing your personal data. There are valid reasons why she may refuse your objection, which depends on why she is processing it.

Request for Information

- The Commissioner's purpose for processing your personal data is to enable her to fulfil your request for information.
- The legal basis for this is Article 6(1)(c) of the UK GDPR, which relates to processing necessary to comply with a legal obligation to which the Commissioner is subject.
- If any part of the information you provide in relation to a request for information includes special category data, such as health, religious or

ethnic information, the basis upon which the Commissioner relies for processing is Article 9(2)(g) of the UK GDPR, which also relates to her public task and the safeguarding of your fundamental rights, and Schedule 1 of part 2(6) of DPA 2018 which relates to statutory and governance purposes.

- The Commissioner needs information from you in order to respond to you and find the information you are looking for. This enables her to comply with her legal obligations under the legislation to which she is subject:
 - UK General Data Protection Regulations
 - Data Protection Act (2018)
 - Freedom of Information Act (2000)
 - Environmental Information Regulations (2004)
 - Re-use of Public Sector Information Regulations
- When she receives a request from you, an electronic file including details of your request will be opened. This will usually include your contact details and any other information you have provided to the Commissioner. A copy of the information that falls within the scope of your application will also be kept in the file.
- If you are making a request for your personal data, or acting on behalf of someone who wishes to make such a request, the Commissioner may ask for information in order to be satisfied of your identity and, if relevant, will request information to show that you have authority to act on behalf of someone else.
- If you are making a request for your personal data, or acting on behalf of someone who wishes to make such a request, the Commissioner may ask for information in order to be satisfied of your identity and, if relevant, will request information to show that you have authority to act on behalf of someone else.

- Before contacting the Commissioner, you should understand that under section 22 of the Welsh Language (Wales) Measure 2011, the Commissioner is required to treat as confidential any information that she receives in connection with her functions. Any such information that you provide will not be shared with anyone else unless authorised by section 22. You should, however, understand that in exceptional circumstances it may be necessary for the Commissioner to disclose this information to others; but if this is necessary for any purpose, you will normally be asked for this first.
- Section 22 does not in any way affect the Commissioner's duties under data protection or confidentiality law. For further information on Section 22, contact the Commissioner.
- The Commissioner has a retention schedule which sets out how long personal data will be held. The Commissioner does not use any data processors. The Commissioner may use a third party as a data processor to carry out our customer satisfaction surveys and the name and link to the third party's privacy notice will be noted when this is done.

List of Standardised Welsh Place-names

- The Commissioner's purpose for processing your personal data is to be able to discharge her responsibility to offer advice on the standard forms of place names in Wales.
- The legal basis on which she relies for processing your personal data is Article 6(1)(e) – public task.
- The Commissioner follows specific guidelines in drawing up her recommendations and gives due regard to evidence regarding current and historical use, as well as the public's views on the names. Personal details can form a central part of this documentary evidence, and the Commissioner may sometimes wish to record the views of individuals

and evidence presented by them in various forms to assist in the formulation of recommendations.

- This evidence will be retained until the end of the project unless a specific request is made by an individual for it to be anonymised or deleted.

Sharing your experiences of dealing with the Commissioner in order to be part of an awareness raising campaign

- The Commissioner collects your personal data in order to:
 - contact you to receive your views on the Commissioner's actions; and/or
 - contact to ask if you would be happy for us to use your views as part of campaigns to raise awareness of the Commissioner; and/or
 - record your experience of dealing with the Commissioner.
- The legal basis on which the Commissioner relies for processing your personal data in the above way is your consent under Article 6(1)(a) of the UK GDPR.
- If the Commissioner collects special category data from you as part of the above, this will require your explicit consent (under Article 9(2)(a)).
- The Commissioner has a retention schedule which sets out how long personal data will be held.
- The Commissioner relies on your consent to process the personal data you provide to her in order to be able to contact you to receive your views on the Commissioner's actions, and to record your views. This means you have the right to withdraw your consent at any time. If at any time you wish to withdraw your consent, please e-mail or telephone the Commissioner. If you do, the records will be updated immediately to reflect your wishes.

Communicating with the Commissioner as a business or charity

- The Commissioner holds names and contact details that operate in their capacity as representatives of their organisations as businesses or charities. The legal basis for doing so depends on the nature of the contact:
 - If this relates to the Commissioner's regulatory functions, the legal basis is Article 6(1)(e) of the UK GDPR.
 - If the contact relates to receiving support from the Commissioner for the purpose of promoting and facilitating the use of the Welsh language as a business or charity, the legal basis is Article 6(1)(a) of the UK GDPR. In completing an assessment for the creation of the Welsh Language Development Plan, we will ask you for your consent to share names and contact details with the National Centre for Learning Welsh, for the purpose of being able to contact you with information about courses and potential support of interest to your organization.
 - If the contact relates to providers, contracts, building control, IT services etc, the legal basis is Article 6(1)(c) of the UK GDPR for any legal obligation or Article 6(1)(f) due to the processing being within the Commissioner's legitimate interest as a public authority.
- As a contracting authority, the Commissioner uses the website [Sell2Wales](#). A [Privacy Notice](#) is available on the Sell2Wales website.

Feedback on the Welsh Language Commissioner's service

Following submission of a complaint to the Welsh Language Commissioner, we may contact you to seek feedback on the Commissioner's services as part of a customer satisfaction investigation. This may include, for example,

an invitation to complete an on-line survey or to respond to questions over the telephone. We can also arrange focus groups to find out what people think about the services of the Welsh Language Commissioner.

You do not have to take part in offering feedback, but your views on the services will improve the development of services delivered by the Welsh Language Commissioner and will be a means of fulfilling her statutory and legislative duties.

The information submitted will be anonymous and your feedback will not be seen by the staff who dealt with your complaint. Only staff dealing with the customer satisfaction research will see the data and information presented. At times, we may contact you to ask your permission to publish your feedback or comments. We will only publish your feedback if you have given consent.

The Commissioner may ask a third party to conduct a survey of this customer satisfaction research on behalf of the Commissioner. When this is done, we will need to share information about you with the third party, limiting the information as follows:

- Your name and title;
- Your contact details;
- Any additional access needs;
- Your preferred language for communication;
- General information about your complaint to the Welsh Language Commissioner;
- The general subject matter of your complaint (e.g. a complaint about an alleged failure to comply with the Welsh Language Standards or an alleged failure to comply with an organisation's language scheme)
- The general outcome of your complaint (e.g. did the Commissioner uphold and accept your complaint or not).

Your rights

Your right to complain

If you are upset or unhappy with the way we process your personal data at any time, you can complain to the Information Commissioner's Office:

Information Commissioner's Office – Wales
2nd Floor, Churchill House
Churchill Way
Cardiff
CF10 2HH

Phone: 0330 414 6421

Email: wales@ico.org.uk

Access to your information

You have the right to ask to see the information held about you. This type of request is referred to as a subject access request, and you can only ask to see information about yourself, not anyone else.

To ensure that information is only given to the individual concerned, we may ask you to confirm your identity when processing a request. You are likely to be asked to provide a copy of photographic identification (passport or driving licence) and proof of address (utility bill).

We will respond to such a request within one month of receipt. If we cannot respond within this time, we will notify you of the delay within the month and the reasons for it. The response period may be extended by up to two months, giving a total of three months to respond to the request. We will provide the information electronically where possible.

In some circumstances it may not be possible for us to respond in full to your request:

If we have a great deal of information relevant to your application, to the extent that it would prevent us from responding to the request within the statutory timeframe, we may ask you to define the nature of the information you wish to see. For example, you can be asked to refine the topic or set a timetable for the information.

If we hold the information for the purpose of preventing, detecting, prosecuting or investigating offences, you may not be able to access your information. This may apply, for example, when we hold information in

relation to our enforcement casework or when other law enforcement bodies share information with us.

Restriction and rectification

You have the right to ask us to update or change any information we hold about you if you think the information in question is inaccurate, incomplete or unnecessary. This is called correcting.

Processing may be restricted while the accuracy or completeness of the information is checked or if the purpose of the processing is specified.

When making such a request, you must set out the grounds or reasons for your request which relate to your particular circumstances. We will respond to requests unless there is a compelling legal basis for undertaking the processing work which overrides the interests, rights and freedoms of the data subject or the process of identifying, exercising or defending legal claims.

If we have shared your personal data with any third parties, we will notify those third parties of your request to rectify the data or impose a restriction on the processing and their responsibility for doing so.

Objecting and deleting

You can object to the processing of your personal data. The right to object to processing means you can ask us to stop processing your data. We cannot be asked to do so if the information is being processed in order to fulfil a legal obligation or to prevent, detect, prosecute or investigate offences.

You can also ask us to delete any information we hold if you think that information is no longer required or that the information is being processed illegally.

We will respond to any requests to delete information or to object to processing. We will decide each application on its own merits.

What to expect if there is a breach of rules

Breach of rules refers to cases where the personal data we process is destroyed, lost, changed or disclosed without authority or where unauthorised access to that data is obtained.

In this event, we will decide whether the Information Commissioner's Office needs to be notified. This decision will be based on the likelihood of that case having a negative impact on the individuals to whom the information relates, taking into account any legal, financial or reputational damage.

If we consider that it is necessary to notify the Information Commissioner's Office, then we will do so within 72 hours, or as soon as possible.

In exceptional circumstances, where a breach of rules is considered to present a high risk to the rights and freedoms of individuals, we will also notify those individuals.