

UK Shared Prosperity Fund (UKSPF)

Privacy Notice

The following notice is for SME's (small and medium sized enterprises) taking part in the Provision of Specialist Business Advisors and other specialist programmes funded by the UK Government through UKSPF and administered by Birmingham City Council under its UKSPF – Supporting local business pillar programme.

This Privacy Notice should be read in conjunction with the Department for Levelling Up, Housing & Communities (DLUHC) [UK Shared Prosperity Fund: Privacy Notice - GOV.UK](#), and Birmingham City Council's main Privacy Notice and the Council's appointed contractors Privacy Notice (where applicable).

1. The identity of the data controller and contact details of our Data Protection Officer

Birmingham City Council (BCC/we) is a data controller for all UK Shared Prosperity Fund related personal data collected with the relevant forms submitted to Birmingham City Council, and the control and processing of Personal Data.

The Data Protection Officer can be contacted at infgovernance@birmingham.gov.uk

2. Why we are collecting your personal data

The West Midlands Combined Authority (WMCA) has been designated as lead local authority for the UK Shared Prosperity Fund in the West Midlands. Further details can be found [here](#).

As part of the Provision of Specialist Business Advisors and other specialist programmes for the UK Shared Prosperity Fund, we will be collecting the following data directly from SMEs engaged in the programme or via our appointed contractors for the lead local authority's compliance with UKSPF requirements to undertake accountable body responsibilities for the delivery of UKSPF Funds:

- Business information but not limited to your name, contact details including email address and telephone number, and details you choose to provide regarding your staff and contractors, business name, business address and post code, companies house data, number of employees, annual turnover.
- Equalities data to meet our Public Sector equalities duty.

Your personal data is being collected as an essential part of the UK Shared Prosperity Fund, to verify the support you have received and so that we can contact you regarding that support, request further supporting documentation if required, process future applications, and for audit and monitoring purposes. We may also use it to contact you about matters specific to the Fund.

3. Legal basis for processing your personal data

Birmingham City Council will process all data according to the provisions of the Data Protection Act 2018 and the UK General Data Protection Regulation 2018 (UK GDPR) and all applicable laws and regulations relating to processing of Personal Data and privacy, including, where necessary, the guidance and codes of practice issued by the Information Commissioner and any other relevant data protection regulations (together "the Data Protection Legislation (as amended from time to time)").

The Data Protection Legislation sets out when we are lawfully allowed to process your data.

The lawful basis that applies to this processing is Article 6 (1) (e) of the UK GDPR; that processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller (the Council).

4. With whom we will be sharing the data

As part of the process of assessment and monitoring of the UK Shared Prosperity Fund, Birmingham City Council will share your personal data with:

- BCC Project Coordinator
- BCC Finance and project/programme staff
- Solihull Metropolitan Borough Council (for enterprises within its jurisdiction/boundary/geographical location/interest)
- Internal and/or external Auditors
- Department for Levelling Up, Housing & Communities (DLUHC)
- BCC's appointed Contractors in connection with the Provision of Specialist Business Advisors and other specialist programmes
- West Midlands Combined Authority

for the purposes of assessment, monitoring, and evaluation of the UKSPF SME Grant Programme.

There are contracts and data sharing agreements in place between Birmingham City Council and its appointed contractors to ensure that the processing of your personal data remains in strict accordance with the requirements of data protection legislation.

5. How long we will keep the personal data, or criteria used to determine the retention period

If your SME fund application is successful, the information you have provided will be held for up to 6 years from the point the UKSPF programme is completed. This is currently estimated to be 1st April 2031. As part of the monitoring process, we may contact you regularly to ensure our records are up to date.

Should your SME fund application be unsuccessful, we will erase your personal data upon your request. Any data we retain will remain in strict accordance with the requirements of data protection legislation.

6. Your rights, e.g., access, rectification, erasure

The data we are collecting is your personal data, and you have considerable say over what happens to it.

You have the right to:

- a. know that we are using your personal data
- b. see what data we have about you
- c. ask to have your data corrected, and to ask how we check the information we hold is accurate
- d. object to the use of your personal data in certain circumstances and to have your personal data deleted when the processing is no longer necessary
- e. complain to the ICO (see below)

7. Sending data overseas

Your personal data will not be sent overseas.

8. Automated decision making

We will not use your data for any automated decision making.

9. Storage, security, and data management

In the first instance your personal data will be stored on the Council's CRM system, for up to 6 years before it is deleted, unless we identify that its continued retention is unnecessary before that point or that you have permitted for it to be stored beyond 6 years. We will notify you regarding services and products that you might be interested in, such as grants, funding, and business support.

Where data is shared with third parties, as set out in section 4 above, we require third parties to respect the security of your data and to treat it in accordance with the law. All third parties are required to take appropriate security measures to protect your personal information in line with our policies.

10. Complaints and more information

If you are unhappy with the way we are using your personal data, you can make a complaint.

You have a right to lodge a complaint with the independent Information Commissioner's Office (ICO) if you think we are not handling your data fairly or in accordance with the law. You can also contact the ICO for independent advice about data protection, privacy and data sharing. The ICO's contact details are provided below.

If you are not happy with how we are using your personal data, you should first contact BCC's Data Protection Officer at infogovernance@birmingham.gov.uk

If you are still not happy, or for independent advice about data protection, privacy, and data sharing, you can contact:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Telephone: 0303 123 1113 or 01625 545 745