



## **CORPORATE DATA PROTECTION POLICY AND PRIVACY NOTICE**

Organisation Issue No:1

Document Owner: DPO

Authorised By: Executive11/112020

Next Review date: 31/10/2023

## Contents

1. Scope .....	3
2. Responsibilities .....	3
3. Our identity and contact details .....	3
4. Data Protection Officer .....	3
5. How we collect your personal information.....	4
6. How will we use the personal data we collect about you?.....	4
7. Purpose and legal basis for processing your information.....	5
8. Who we may share your information with? .....	6
9. Details for international transfers .....	7
10. How long we keep your information .....	8
11-16. How we use cookies and IP addresses.....	9
17. Your Rights	
18. Privacy policies of other websites .....	10
19. Change in your personal circumstances .....	10
20. Changes to our privacy policy .....	10
21. The Council's retention policy .....	10
22. Consent .....	10

## **1. Scope**

All data subjects whose personal data is collected, in line with the requirements of the GDPR.

## **2. Responsibilities**

- 2.1 The Data Protection Officer is responsible for ensuring that this notice is made available to data subjects prior to Hertsmere Borough Council ("The Council") processing their personal data.
- 2.2 All Employees who interact with data subjects are responsible for ensuring that this notice is drawn to the data subject's attention and their consent to the processing of their data is secured.
- 2.3 The Council will ensure that it treats personal information lawfully and correctly and fully endorses and adheres General Data Protection Regulation and the UK Data Protection Act (the Data Protection Legislation).

## **3. Our identity and contact details**

- 3.1 The Council collects and processes personal information about you. We are a Data Controller and a Data Processor under Data Protection Legislation and our contact details are:

Address: Civic Offices Elstree Way, Borehamwood WD6 1WA

Telephone: 020 8207 2277

## **4. Data Protection Officer**

- 4.1 The Council's Data Protection Officer (DPO) is responsible for overseeing the Council's compliance with the GDPR and Data protection legislation. If you have any questions or wish to make complaint about how we handle your personal information, please contact the Data Protection Officer via email on [DPO@hertsmere.gov.uk](mailto:DPO@hertsmere.gov.uk)

The DPO is Jonathan Oberia, and can be contacted via email [Jonathan.oberia@hertsmere.gov.uk](mailto:Jonathan.oberia@hertsmere.gov.uk) or you can write to the DPO on:

Data Protection Officer,  
Legal Services  
Hertsmere Borough Council  
Civic Offices  
Elstree Way,  
Borehamwood  
WD6 1WA.

- 4.2 If you are unhappy about how The Council has processed your data, or if you feel we have acted in a way that has breached your data protection rights you have the right to complain to the information commissioner's office (<http://www.ico.org.uk/>)

## **5. How we collect your personal information**

- 5.1 The Council collects information in a number of ways, for example: when you apply for our products and services; when you use our website, when you speak to us face-to-face, when you complete online or paper forms; when we receive information from landlords
- 5.2 The Council may also collect information from government departments and from other local or public authorities to enable us to carry out our statutory functions and to provide services to you.
- 5.3 At times, The Council must by law provide your personal information to us, for example, if you are 18 or over and either own or rent a property in the district you must register to pay Council Tax.

## **6 How will we use the personal data we collect about you?**

- 6.1 The Council will process (collect, store and use) the information you provide in a manner compatible with the General Data Protection Regulation and the UK Data Protection Act. We will endeavour to keep your information accurate and up to date, and not keep it for longer than is necessary. The Council is required to retain information in accordance with the law, such as information needed for income tax and audit purposes. How long certain kinds of personal data should be kept may also be governed by specific business-sector requirements and agreed practices. Personal data may be held in addition to these periods depending on individual business needs.

## **7 Purpose and legal basis for processing your information**

7.1 The Council collects and processes information about you, so that we can carry out our functions as a Local Authority and to deliver public services. This includes but is not limited to:

- a) Administering the assessment and collection of taxes and other revenue including benefits and grants
- b) The provision of all commercial services including the administration and enforcement of parking regulations and restrictions
- c) The provision of all non-commercial activities including refuse collections from residential properties,
- d) Local and national fraud initiatives and data matching under these initiatives
- e) To prevent and detect fraud or crime and prosecution offenders including the use of CCTV
- f) Licensing and regulatory activities
- g) Providing leisure and cultural services
- h) Carrying out health and public awareness campaigns
- i) Managing our property
- j) Maintaining our own accounts and records
- k) Supporting and managing our employees
- l) Promoting the services we provide
- m) Marketing our local tourism
- n) Carrying out surveys
- o) Undertaking research
- p) Internal financial support and corporate functions
- q) Managing archived records for historical and research reasons
- r) Corporate administration and all activities we are required to carry out as a data controller and public authority

7.2 We collect and process the following categories of personal information:

- (a) Personal and family details
- (b) Lifestyle and social circumstances
- (c) Goods and services

- (d) Financial details
- (e) Employment and education details
- (f) Housing needs
- (g) Visual images, personal appearance and behaviour
- (h) Licenses or permits held
- (i) Business activities and
- (j) Case file information

7.3 We may also collect and process special categories of personal information that may include:

- a) Racial or ethnic origin
- b) Political opinions
- c) Religious or philosophical beliefs
- d) Trade union membership
- e) Genetic data, biometric data for the purpose of uniquely identifying a person
- f) Data concerning health
- g) Data concerning a person's sex life or sexual orientation

This information is only used for the intended purpose but if we intend to use it for any other purpose, we will normally ask you first. In some cases, The Council may use your information for another purpose if it has a legal duty to do so, to provide a complete service to you, to prevent and detect fraud, or if there is a risk of serious harm or threat to life.

## **8 Who we may share your information with?**

8.1 The Council may share your data with third parties in the following circumstances:

- 8.1.1 With Government Departments as required by law, for example the Department for Works & Pensions and Her Majesty's Customs & Excise
- 8.1.2 Where the Council contracts with a third party to wholly or partly provide a particular Council service, for example specialist consultants.
- 8.1.3 To pass onto independent examiners in association with a local or neighbourhood plan submission;
- 8.1.4 Where any of the following apply:
  - 8.1.4.1 National or public security

8.1.4.2 Taxation matters

8.1.4.3 Public health

8.1.4.4 Prevention & detection of crime

8.1.4.5 The protection of the individual, or the rights and freedoms of others

8.1.4.6 Breaches of ethics in regulated professions

8.1.5 We may share your data with other Council services where this will lead to an enhanced service being provided to you.

8.2 The Council is required by law to protect the public funds it administers. We may use any of the information you provide to us for the prevention and detection of fraud or may share with the Police if it is suspected that a crime may have been committed. We may also share this information with other bodies that are responsible for auditing or administering public funds including the Council's external auditor, the Department for Work and Pensions, and other local authorities, HM Revenue and Customs, and the Police for example.

8.2.1 In addition to undertaking our own data matching to identify errors and potential frauds we are required to take part in national data matching exercises undertaken by the Cabinet Office. The use of data by the Cabinet Office in a data matching exercise is carried out under its powers in Part 6, Schedule 9 of the Local Audit and Accountability Act 2014. It does not require the consent of the individuals concerned. For more information see [National Fraud Initiative web page](#).

8.3 Data matching may also be used to assist the council in responding to emergencies or major incidents, by allowing the council, in conjunction with the emergency services, to identify individuals who may need additional support in the event of, for example, an emergency evacuation.

## **9 Details for international transfers**

9.1 It may sometimes be necessary to transfer personal information overseas. When this is needed, information may be transferred to countries or territories around the world. Any transfers made will be in full compliance with all aspects of the Data Protection Legislation.

## **10 How long we keep your information**

- 10.1 The Council will only keep your information for as long as is required by law and to provide you with the necessary services. Further details are published in the Council's Document Retention Policy.
- 10.2 The Council may also anonymise some personal data you provide to us to ensure that you cannot be identified and use this data to allow the Council to effectively target and plan the provision of services.

## **11 Use of cookies and IP addresses**

- 12 Cookies enhance your experience using our website. Cookies are small text files that are placed on your computer by websites that you visit. They are widely used in order to make websites work more efficiently, as well as to provide information to the owners of the site.
- 13 We use cookies to audit the use of our website and help us to customise the website for your visit. We do not store or transmit any personally identifiable data on these cookies. However, we do use a number of third party services to improve our website and the services we offer you, including Google Analytics, Hot Jar and Double Click. These services may place a cookie on your computer which may record your IP address and enable them to monitor your use of our website as well as other websites you visit where your IP address is stored. Please click [...here...] to read our cookie policy.
- 14 You can change your cookie setting at any time in the security settings in the browser you use to access the internet. Please note however, that rejecting all cookies may impact on your enjoyment or use of this website.
- 15 We collect IP addresses\*only for the purposes of system administration and to audit the use of our site. We do not link IP addresses to anything personally identifiable, which means that while your user session will be logged you will remain anonymous to us. However, as stated above, we do use a number of third party services to improve our web-site and the services we offer you and these services may place a cookie on your computer which may record your IP address and enable them to monitor the use of our website or of other websites you visit.
- 16 \*An IP address is a unique string of numbers that identifies each computer.

## 17 Your rights

- 17.1 The Council has to process personal data in order to carry out its functions as a Local Authority, but we can only do this where there is a legal basis. This is known as the 'lawful basis for processing'.
- 17.2 GDPR extends individuals' rights in terms of this processing, for example the right of access (also known as Subject Access Requests). It also introduces some new ones, such as the right to erasure, right to restrict processing and the right to data portability. Under GDPR individuals have 8 rights to exercise when it comes to your personal data, all for your rights are listed below:
- 17.2.1 Right to informed -you have the right to ask the Council for information about what personal data is being processed about yourself and the rationale for such processing.
  - 17.2.2 Right of access – you have the right to request a copy of the information that we hold about you. If you wish to request for your personal data please click [here](#)
  - 17.2.3 Right of rectification – you have a right to correct data that we hold about you that is inaccurate or incomplete. If you think we hold in accurate data on you please inform us by clicking [here](#)
  - 17.2.4 Right to be forgotten – you can make a request and have your data deleted where there is no compelling reason for its continued processing and provided that there are no legitimate grounds for retaining it
  - 17.2.5 Right to restriction of processing – where certain conditions apply you can restrict the processing of your personal data.
  - 17.2.6 Right of portability – you have the right to have the data we hold about you transferred to another organisation.
  - 17.2.7 Right to object – you have the right to object to certain types of processing such as direct marketing.
  - 17.2.8 Rights in relation to automated decision and profiling – you have the right to object to automated processing, including profiling
  - 17.2.9 Right to judicial review: in the event that the Council refuses your request under rights of access, we will provide you with a reason as to why. You have the right to complain as outlined in clause 4.2.

## **17. Privacy policies of other websites**

17.1 The Council's website contains links to other websites. Our privacy policy applies only to our website, so if you click on a link to another website, you should read their privacy policy.

## **18. Change in your personal circumstances**

18.1 You must notify The Council immediately if there are any changes in your circumstances and personal details so we can maintain an accurate and up to date record of your information.

## **19. Changes to our privacy policy**

19.1 As the Council creates new services, this may generate a need to amend the Privacy Notice. If our Privacy Notice changes at any time in the future, it will be posted on this page.

## **20. The Council's retention policy**

21.1 The Council's Retention Policy including all the Documents Retention Schedules is available by clicking [...here...]

## **22. Consent**

22.1 By consenting to this privacy notice you are giving us permission to process your personal data specifically for the purposes identified.

You may withdraw consent at any time by clicking [...here...].