

HERTSMERE BOROUGH COUNCIL CORPORATE PRIVACY NOTICE

The council is committed to ensuring that it collects, uses, shares and stores the personal data of its customers in a legal and transparent way. This privacy notice provides a high level view of how we do this. Other privacy notices specific to each of the services we deliver are also available on the council's website.

Contact Information

Because the council decides how personal data is processed, it is referred to as a data controller and must register as such with the Information Commissioner's Office (ICO).

Hertsmere Borough Council is registered as a data controller with the ICO, registered number Z6581644.

Contact details for the council's data controller are:

foi@hertsmere.gov.uk

Chief Executive

Hertsmere Borough Council

Civic Offices

Elstree Way

Borehamwood

WD6 1WA

The council also has a data protection officer, whose responsibilities include but are not limited to:

Monitoring the council's compliance with data protection law;

Ensuring that the council's data protection policies are adhered to;

Ensuring staff are properly trained in data protection matters;

Advising on data protection risks;

Liaising with the ICO.

Contact details for the council's data protection officer are:

foi@hertsmere.gov.uk

Data Protection Officer

Hertsmere Borough Council

Civic Offices

Elstree Way

Borehamwood

What is personal data and why does the council need to collect it?

Personal data is any data from which you can identify a living person. This could consist of names, addresses, dates of birth, national insurance numbers, bank account details etc. It can also include social media handles and other artificial identifiers such as IP addresses if you can be identified from them. There are other data known as “special categories of personal data”, which includes information relating to certain characteristics such as racial or ethnic origin, political opinions, religious beliefs, trades union membership, physical or mental health, sexual orientation or commission or alleged commission of any crime. These are also subject to the same rules as personal data.

The council provides a wide range of services to its customers and may need to process some personal data in order to provide these services. This may include sharing the data with a supplier or contractor. The personal data required will vary depending on the service and more information can be obtained in the privacy notice specific to the service being offered.

How do we collect your personal data?

We collect your personal data in a variety of ways, for example when you complete one of our on-line or paper forms or when you make contact with the council by phone, email or letter and in person. We collect data for analysis purposes using cookies on our website and we record some of the discussions we have with you on the phone. The information that we collect includes, but is not limited to your name, address, email address, phone number, payment card details, date of birth, family details and financial information where necessary depending on the service being provided. We will only collect the information necessary to provide the service requested.

We only obtain information from third parties where this is permitted by law (e.g. under legislation or agreements with them), for example from the department for works and pensions to process housing benefit claims.

We may also use legal public sources to obtain information about you, for example to trace persons who owe money to the council. This information will only be obtained from reputable third party organisations that operate in accordance with data protection legislation.

How do we process your personal data?

The council will process your personal data to provide any of a wide range of services that you may request from the council. More information on how we process your personal data can be found in the service specific privacy notices.

We undertake to protect your personal data in ways consistent with duties under data protection legislation.

We may use your personal data to advise you of important dates and actions relevant to the services being provided to you.

We will not use your personal data for marketing purposes without your consent.

If you wish to request to stop using a service and withdraw your consent for the council to process your personal data, you can do so by emailing the data protection officer: foi@hertsmere.gov.uk or by making contact with the service department directly. This right does not apply to functions that the council is required to carry out by law.

Sharing your personal data

We will only share your data with third parties with your consent, except in the following circumstances:

Where we are required to do so by other legislation, for example with government departments to prevent fraud, an example being the national fraud initiative, sponsored by the cabinet office or for the gathering of statistical information, for example by the office for national statistics;

Where the council contracts with a third party to wholly or partly provide a particular council service;

Where any of the following apply:

- National or public security or defence
- Prevention, investigation, detection or prosecution of criminal offences
- Other important public interests, in particular economic or financial interests, including budgetary and taxation matters, public health and security
- Monitoring, inspection or regulatory functions connected to the exercise of official authority regarding security, defence, other important public interests or crime/ ethics prevention
- The protection of the individual, or the rights and freedoms of others
- The enforcement of civil law matters

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

All data shared electronically will be passed on by secure, encrypted means.

Sale of the electoral open register

The open register is an extract of the electoral register, but is not used for elections. It can be bought by any person, company or organisation. For example, it is used by businesses and charities to confirm name and address details. The personal data in the register must always be processed in line with data protection legislation.

Your name and address will be included in the open register unless you ask for them to be removed. Removing your details from the open register would not affect your right to vote.

The council does not sell any other personal data.

How will we store your personal data and for how long will we keep it?

Most personal data is stored within computer application systems which are accessible only by those authorised to process the data.

Some personal data is stored in paper files, which are kept secure when not in use.

The council will retain data in accordance with its retention policies.

Your rights

The General Data Protection Regulation and Data Protection Act 2018 provide certain rights to data subjects (those on whom we hold personal data). If you wish to exercise any of these rights, you should make contact with the data controller (contact details above). These rights can be summarised as:

Right of access

The law allows you the right of access to personal data which we hold about you. This is known as a subject access request and the council will provide you with this information as soon as possible and in any case within 4 weeks, unless the application is so complicated that additional time is required, in which case we will notify you accordingly.

Right to rectification

If any personal data which the council holds on you is inaccurate or incomplete you have the right to have this corrected. The council must also ensure that any corrections are notified to any third parties with whom the data has been shared.

Right to erasure

You have the right to have your personal data erased if any of the following apply:

There is no compelling reason to retain the data;

The data is no longer necessary for the purpose for which it was collected;

You object to processing where no lawful basis for processing applies;

The data has been unlawfully processed.

If you exercise this right, it may not be possible to provide a service you may require.

Right to restrict processing

You have the right to restrict the processing of your personal data where any of the following apply:

You have contested the accuracy of the data we hold until that has been resolved;

The processing is unlawful and you require restriction of processing rather than erasure;

We no longer need the data for the purpose it was collected and you require the data in connection with a legal claim;

You have objected to the processing of your personal data pending confirmation of whether there are grounds to override these objections.

The right to object

This is the right, in certain circumstances, to object to the processing of personal data. This only applies where processing is based on legitimate interests, the performance of a task in the public interest/ exercise of official authority, direct marketing and processing for the purposes of scientific/ historical research and statistics. It does not apply to processing carried out by the council in the performance of its tasks.

Right to data portability

You have the right to receive electronically held personal data that we hold about you in a structured, commonly used and machine readable format and have the right to provide this to another data controller.

Rights related to automated decision making including profiling

The council does not carry out any automated processing which may lead to an automated decision based on your personal data.

Reviews

This privacy notice will be regularly reviewed to ensure we meet the necessary standards for obtaining, processing, storing and managing personal data. The council reserves the right to update this privacy notice.

Complaints

If you have a complaint regarding the use of your personal data, this should be addressed to the data protection officer (contact details above).

If your complaint is not resolved to your satisfaction, you may refer the matter to the ICO at:

Information Commissioners Office
Wycliffe House, Water Lane
Wilmslow
Cheshire SK9 5AF
Telephone: 0303 123 1113 Website: www.ico.org.uk