

Copeland Borough Council and Your Privacy

Copeland Borough Council is committed to protecting your privacy when you use our services.

The Privacy Notice below explains how we use information about you and how we protect your privacy.

We have a Data Protection Officer who makes sure we respect your rights and follow the law. If you have any concerns or questions about how we look after your personal information, please contact our Data Protection Officer at info@copeland.gov.uk or by calling 01946 598300 and asking to speak to the Data Protection Officer.

Do you know what personal information is?

Personal information can be anything that identifies and relates to a living person. This can include information that when put together with other information can then identify a person. For example, this could be your name and contact details.

Did you know that some of your personal information might be 'special'?

Some information is 'special' and needs more protection due to its sensitivity. It's often information you would not want widely known and is very personal to you. This is likely to include anything that can reveal your:

- Religious or philosophical beliefs;
- Ethnicity;
- Physical or mental health;
- Trade union membership;
- Political opinion;
- Genetic/biometric data;
- Criminal history;
- Sexuality and sexual health.

Why do we need your personal information?

As a Council we will need to process some information about you to deliver services and support to you and may need to use some information about you to:

- Manage those services we provide to you;
- Train and manage the employment of our workers who deliver those services;
- Help investigate any worries or complaints you have about your services;
- Keep track of spending on services;
- Check the quality of services; and
- To help with research and planning of new services.

How the law allows us to use your personal information

There are a number of legal reasons why we need to collect and use your personal information in delivering public duties.

Each privacy notice explains for each service which legal reason is being used. Generally, we collect and use personal information where:

- It is necessary to perform our statutory duties;
- You have entered into a contract with us;
- It is necessary to protect someone in an emergency;
- It is required by law;
- It is necessary for employment purposes;
- It is necessary to deliver health or social care services;
- You have made your information publicly available;
- It is necessary for legal cases;
- It is to the benefit of society as a whole;
- It is necessary to protect public health;
- It is necessary for archiving, research, or statistical purposes;
- You, or your legal representative, have given consent.

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Where we have been required to and you have provided consent to use your personal information, you have the right to remove it at any time. If you want to remove your consent to discretionary services provided by the Council, please contact info@copeland.gov.uk and tell us which discretionary service you're using so we can deal with your request.

We only use what we need

Where we can, we'll only collect and use personal information if we need it to deliver a service or meet a statutory requirement.

If we don't need personal information we'll either keep you anonymous if we already have it for something else or we won't ask you for it. For example, in a survey we may not need your contact details and we'll only collect your survey responses.

If we use your personal information for research and analysis, we'll always keep you anonymous or use a different name unless you've agreed that your personal information can be used for that research.

We don't sell your personal information to anyone else.

What you can do with your information

The law gives you a number of rights to control what personal information is held by us and how it is used by us.

You can ask for access to the information we hold on you

We would normally expect to share what we record about you with you whenever we assess your needs or provide you with services.

However, you also have the right to ask for all the information we have about you and the services you receive from us. When we receive a

request from you in writing, we must give you access to all recorded information we hold about you.

However, we can't let you see any parts of your record which contain:

- Confidential information about other people; or
- Data a professional thinks will cause serious harm to your or someone else's physical or mental wellbeing; or
- If we think that giving you the information may stop us from preventing or detecting a crime.

This applies to personal information that is in both paper and electronic records. If you ask us, we'll also let others see your record (except if one of the points above applies).

If you can't ask for your records in writing, we'll make sure there are other ways that you can. If you have any queries about access to your information, please contact info@copeland.gov.uk or 01946 598300.

You can ask to change information you think is inaccurate

You should let us know if you disagree with something written on your file.

We may not always be able to change or remove that information, but we will correct factual inaccuracies and will include your comments in our records to show that you disagree with it.

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You can ask to delete information (*right to be forgotten*)

In some circumstances you can ask for your personal information to be deleted, for example:

- Where your personal information is no longer needed for the reason why it was collected in the first place;
- Where you have removed your consent for us to use your information (where there is no other legal reason us to use it);
- Where there is no legal reason for the use of your information;
- Where deleting the information is a legal requirement.

Where your personal information has been shared with others, we'll do what we can to make sure those using your personal information comply with your request for erasure.

Please note that we can't delete your information where:

- We are required to have it by law;
- It is used for freedom of expression;
- It is used for public health purposes;
- It is for scientific or historical research (anonymised data), or statistical purposes where it would make information unusable;
- It is necessary for legal claims.

You can ask to limit what we use your personal data for

You have the right to ask us to restrict what we use your personal information for where:

- You have identified inaccurate information, and have told us of it;
- Where we have no legal reason to use that information, but you want us to restrict what we use it for rather than erase the

information altogether.

When information is restricted it can't be used other than to securely store the data and with your consent to handle legal claims and protect others, or where it is for important public interests of the UK.

Where restriction of use has been granted, we'll inform you before we carry on using your personal information.

You have the right to ask us to stop using your personal information for any council service. However, if this request is approved this may cause delays or prevent us delivering that service.

Where possible we'll seek to comply with your request, but we may need to hold or use information because we are required to by law.

You can ask to have your information moved to another provider (*data portability*)

You have the right to ask for your personal information to be given back to you or another service provider of your choice in a commonly used format. This is called data portability.

However, this only applies if we're using your personal information with consent (not if we're required to by law) and if decisions were made by a computer and not a human.

It's likely that data portability won't apply to most of the services you receive from the Council.

You can ask to have any computer made decisions explained to you, and details of how we may have 'risk profiled' you.

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You have the right to question decisions made about you by a computer, unless it's required for any contract you have entered into, required by law, or you've consented to it.

You also have the right to object if you are being 'profiled'. Profiling is where decisions are made about you based on certain things in your personal information, e.g. your health conditions.

If and when CBC uses your personal information to profile you, in order to deliver the most appropriate service to you, you will be informed.

If you have concerns regarding automated decision making, or profiling, please contact the Data Protection Officer who'll be able to advise you about how we are using your information.

Who do we share your information with?

We use a range of organisations to either store personal information or help deliver our services to you. Where we have these arrangements, there is always an agreement to make sure that the organisation complies with data protection law.

We will, where required, complete a privacy impact assessment (PIA) before we share personal information to make sure we protect your privacy and comply with the law.

Where we have a legal duty to provide personal information to other organisations we will do so. This is often because we need to give that data to courts.

We may also share your personal information when we feel there's a good reason that's more important than protecting your privacy. This doesn't happen often, but we may share your information:

- In order to find and stop crime and fraud; or if there are serious risks to the public, our staff or to other professionals;
- to protect a children or adults who are thought to be at risk, for example if they are frail, confused or cannot understand what is happening to them.

For all of these reasons the risk must be serious before we can override your right to privacy.

If we're worried about your physical safety or feel we need to take action to protect you from being harmed in other ways, we'll discuss this with you and, if possible, get your permission to tell others about your situation before doing so.

We may still share your information if we believe the risk to others is serious enough to do so.

There may also be rare occasions when the risk to others is so great that we need to share information straight away.

If this is the case, we'll make sure that we record what information we share and our reasons for doing so. We'll let you know what we've done and why if we think it is safe to do so.

How do we protect your information?

We'll do what we can to make sure we hold records about you (on paper and electronically) in a secure way, and we'll only make them available to those who have a right to see them. Examples of our security include:

- Encryption, meaning that information is hidden so that it cannot be read without special knowledge (such as a password). This is done with a secret code or what's called a 'cypher'. The hidden information is said to then be 'encrypted';

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- Pseudonymisation, meaning that we'll use a different name, so we can hide parts of your personal information from view. This means that someone outside of the Council could work on your information for us without ever knowing it was yours;
- Controlling access to systems and networks allows us to stop people who are not allowed to view your personal information from getting access to it;
- Training for our staff allows us to make them aware of how to handle information and how and when to report when something goes wrong;
- Regular testing of our technology and ways of working including keeping up to date on the latest security updates.

Where in the world is your information?

The majority of personal information is stored on systems in the UK. But there are some occasions where your information may leave the UK either in order to get to another organisation or if it's stored in a system outside of the EU.

We have additional protections on your information if it leaves the UK ranging from secure ways of transferring data to ensuring we have a robust contract in place with that third party.

We'll take all practical steps to make sure your personal information is not sent to a country that is not seen as 'safe' either by the UK or EU Governments.

If we need to send your information to an 'unsafe' location, we'll always seek advice from the Information Commissioner first.

How long do we keep your personal information?

There's often a legal reason for keeping your personal information for a set period of time, we

try to include all of these in our [retention schedule](#).

For each service, the schedule lists how long your information may be kept for. This ranges from months for some records to decades for more sensitive records.

Where can I get advice?

If you have any worries or questions about how your personal information is handled by the Council please contact our Data Protection Officer at info@copeland.gov.uk or by calling 01946 598300.

For independent advice about data protection, privacy and data sharing issues, you can contact the Information Commissioner's Office (ICO) at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF
Tel: 0303 123 1113 (local rate) or 01625 545 745
if you prefer to use a national rate number.

Alternatively, visit ico.org.uk or email casework@ico.org.uk.