

Copeland Borough Council Privacy Notice

Copeland Borough Council is committed to protecting your privacy when you use our services. We have a Data Protection Officer and a Scrutiny Officer who make 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

What is personal information?

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 category' Data?

Some information is '**special category**' and needs more protection due to its sensitivity. This is often information you would not want widely known and is very personal to you. The list below shows what is defined as "Special category of personal data" under the General Data Protection Regulation:

- **Racial** or **Ethnic** origin;
- **Political** opinions;
- **Religious** or **Philosophical** beliefs;
- **Trade union** membership;
- **Genetic** data;
- **Biometric** data (where used for identification purposes) ;
- **Health** data;
- Data concerning a natural person's **sex life**;
- **Sexual orientation**;

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. 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.

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 are using so we can deal with your request.

We only use what we need

We will only collect and use personal information if we need it to deliver a service or meet a statutory requirement. For example, in a survey, we may not need your contact details and we will only collect your survey responses.

If we use your personal information for research and analysis, we will always keep you anonymous or use a different name unless you have agreed that your personal information can be used for that research. Electoral information is held on our Electoral Register, which may be sold on, however you have the right to opt out of the open register if you wish. To opt out you can call 01946 598300 or email elections@copeland.gov.uk

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

We would normally expect to share and update what we hold about 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 (known as a Subject Access Request) from you in writing, we must give you access to all recorded information we hold about you once we have confirmed your identity.

We cannot let you see any parts of your record which contain:

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

This applies to personal information that is in both paper and electronic records. If you ask us, we will also let others see your record (except if one of the points above applies). If you are unable to ask for your records in writing, we will 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. Copeland Borough Council does not recognise Tapmydata requests as legitimate requests for access to data.

You can ask us 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.

You can ask to us delete information

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 will do what we can to make sure those using your personal information comply with your request for erasure.

Please note that we cannot 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.

You can ask for the use of your data to be restricted

When information is restricted, it cannot 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 will 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 will 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 are using your personal information with consent (not if we are required to by law) and if decisions were made by a computer and not a human. It is likely that data portability will not apply to most of the services you receive from the Council.

You also have the right to object to automated processing, including profiling

Profiling is where decisions are made about you based your personal information, e.g. your health conditions. If and when CBC uses your personal information for automated processing in order to deliver the most appropriate service to you, you will be informed. 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 have consented to it. 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 GDPR. 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 need share your personal information when we feel there is a legitimate reason that is more important than protecting your privacy. This does not happen often, but we may share your information:

- In order to find and stop crime and fraud;
- If we feel there are serious risks to you, 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 are worried about your physical safety or feel we need to take action to protect you from being harmed in other ways, we will 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 will make sure that we record what information we share and our reasons for doing so. We will let you know what we have done and why if we think it is safe to do so.

How do we protect your information?

We take the security of your data which can be held on paper and electronically, very seriously, and use a number of the following methods to ensure we protect your privacy.

Examples of our security include:

- Encryption, meaning that information is inaccessible without the encryption key.
- Anonymisation, we make it impossible to identify a specific data subject.
- Pseudonymisation, meaning that we will use a different name, so we can hide parts of your personal information from view.
- 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 organization, 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. If we need to send your information to an 'unsafe' location, we will always seek advice from the Information Commissioner first.

How long do we keep your personal information?

There is 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.

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.

