

## PRIVACY NOTICE

### 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.

### “Special” personal information

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

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

### How we use your information

This privacy notice tells you what to expect when Castle Point Borough Council (CPBC) collects personal information. It applies to information we collect about:

- Visitors to our website;
- Complaints and other individuals in relation to a data protection or freedom of information enquiry or complaint;
- People who use our services eg recycling and refuse collection services, leisure, benefits;
- People who apply for licences under the Licensing Act 2003
- People who make planning applications and make planning enquiries
- Job applicants and our current and former employees

### 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 in place to make sure that the organisation complies with data protection law.

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

Sometimes we have a legal duty to provide personal information to other organisations. For instance we may need to give that data to courts including if the court orders that we provide the information.

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 for example:

- 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 child; or
- To protect 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 shall 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.

## **Your rights**

If we are holding your personal information you have a number of rights which have been extended as from 25 May 2018. You have the right:

- to be informed about how and why we process your personal information and how long we retain it for as well how you can complain
- of access which includes confirmation that your personal information is being processed and access to your personal information
- to rectification so that if you identify any of the personal information we hold about you is incorrect you can write to us asking us to correct it
- to erasure otherwise known as the right to be forgotten so that you may unless we require it to continue to provide a service to you request the deletion or remove of personal information
- to restrict processing which enables you to block or suppress is processing your personal information
- to data portability which allows you to obtain and reuse your personal information for your own purposes across different services

- to object to us processing your information based on legitimate interest or performance of a task in the public interest of official authority, direct marketing and for scientific/historical research and statistics
- related to the automated decision making and profiling which safeguards you against the risk that a potentially damaging decision is taken without human intervention

### **Visitors to our website**

When someone visits [www.castlepoint.gov.uk](http://www.castlepoint.gov.uk) we use a third party service, Google Analytics to collect standard information and details of visitor behaviour patterns. We do this to find out things such as the number of visitors to various parts of our website. This information is only processed in a way which does not identify anyone. We do not make, and do not allow Google Analytics to make, any attempt to find out the identities of those visiting our website, we will be up front about this. We will make it clear when we collect personal information and will explain what we intend to do with it.

### **Use of cookies by CPBC**

You can read more about how we use cookies on our Cookies page on our website.

### **Search engine**

Our website search is powered by a custom search engine. Search queries and results are logged anonymously to help us improve our website and search functionality. No user-specific data is collected by either CPBC or any third party.

### **Security and performance**

CPBC uses a third party service to help maintain the security and performance of the CPBC website. To deliver this service it processes the IP addresses of visitors to the CPBC website.

### **People who contact us via social media**

If you send us a private or direct message via social media the message will be stored for one year. It will not be shared with any other organisations.

### **People who call our First Contact Centre**

When you call CPBC's First Contact Centre we collect calling line identification information. We use this information to help improve its efficiency and effectiveness.

Our helpline also offers a translation service for customers when English is not their first language, this is provided by a third party company. The company that provides this service does not retain any information from the calls or record them.

### **People who email us**

CPBC is part of the GSI network. Any email sent to us, including any attachments, may be monitored and used by use for reasons of security and for monitoring

compliance with office policy. Email monitoring or blocking software may also be used. Please be aware that you have a responsibility to ensure that any email you send to us is within the bounds of the law.

### **People who make a complaint to us**

When we receive a complaint from a person we record it on our complaints database containing the details of the complaint. This normally contains the identity of the complainant and any other individuals involved in the complaint.

We will only use the personal information we collect to process the complaint and to check on the level of service we provide.

We will keep personal information contained in complaint files in line with our Document Retention Policy .

<https://www.castlepoint.gov.uk/info-governance-policies>

This means that information relating to a complaint will be retained 3 years from closure. It will be retained in a secure environment and access to it will be restricted according to the “need to know” principle.

Similarly, where enquiries are submitted to us we will only use the information supplied to us to deal with the enquiry and any subsequent issues and to check on the level of service we provide.

When we take enforcement action against someone, we may publish the identity of the defendant on our website or elsewhere.

### **People who use CPBC Services**

CPBC provides various services to the public. We use a third party to deal with some publication requests, but they are only allowed to use the information to send out the publications.

We have to hold the details of the people who have requested a service in order to provide it. However, we only use these details to provide the service the person has requested and for other closely related purposes. For example, we might use information about people who have requested membership of our leisure facilities to carry out a survey to find out if they are happy with the level of service they received.

### **Job Applicants, current and former CPBC employees**

When individuals apply to work at CPBC, we will only use the information they supply to us to process their application and to monitor recruitment statistics. Where we want to disclose information to a third party, for example where we want to take up a reference or obtain a “disclosure” from the Criminal Records Bureau we will not do so without informing them beforehand unless the disclosure is required by law.

Personal information about unsuccessful candidates will be held for 6 months after the recruitment exercise has been completed, it will then be destroyed or deleted. We

retain de-personalised statistical information about applicants to help inform our recruitment activities, but no individual is identifiable from that data.

Once a person has taken up employment with CPBC, we will compile a file relating to their employment. The information contained in this will be kept secure and will only be used for purposes directly relevant to that person's employment. Once their employment with CPBC has ended, we will retain the file in accordance with the requirements of our Document Retention Policy and then delete it.

<https://www.castlepoint.gov.uk/info-governance-policies>

### **Complaints or queries**

CPBC tries to meet the highest standards when collecting and using personal information. For this reason, we take any complaints we receive about this very seriously. We encourage people to bring it to our attention if they think that our collection or use of information is unfair, misleading or inappropriate. We would also welcome any suggestions for improving our procedures.

This privacy notice was drafted with brevity and clarity in mind. It does not provide exhaustive detail of all aspects of CPBC's collection and use of personal information. However, we are happy to provide any additional information or explanation needed. Any requests for this should be sent to the address below. Please also see the webpages for our specific services.

Should you not be satisfied with our explanation or wish to complain about how we have handled your personal information you may complain to the Information Commissioner's Office whose details are below.

### **Access to personal information**

CPBC tries to be as open as it can be in terms of giving people access to their personal information. Individuals can find out if we hold any personal information by making a "subject access request" under the Data Protection Act 2018. If we do hold information about you we will:

- Give you a description of it;
- Tell you why we are holding it;
- Tell you who it could be disclosed to; and
- Let you have a copy of the information in an intelligible form

To make a request to CPBC for any personal information we may hold you need to put the request in writing addressing it to Information Officer, Civic Governance and Law or writing to the address provided below.

We shall also require 2 items as proof of identification one of which must have a photograph of you with your name (eg drivers licence, passport) and the other with your name and address (eg utilities bill, bank or credit card statement).

If we do hold information about you, you can ask us to correct any mistakes by, once again, contacting the Information Officer, Civic Governance and Law in writing to confirm the corrections necessary.

### **Disclosure of personal information**

In many circumstances we will not disclose personal data without consent. However when we investigate a complaint, for example, we may need to share personal information with any organisations involved or with other relevant bodies.

We may also need to share your personal information without your consent:

- with contractors or organisations carrying out services on our behalf eg maintenance works to housing stock
- to prevent and detect crime

### **Links to other websites**

This privacy notice does not cover the links within this site linking to other websites. We encourage you to read the privacy statements on the other websites you visit.

### **Service pages on CPBC's website**

We encourage you to read the privacy statements on service pages on our website as these provide further information relating to the personal information that we hold in relation to specific services provided by CPBC to you. These privacy statements set out the following information:

- the purpose for processing your personal information
- the legal basis for processing your personal information
- any recipient or categories of recipients of your personal information
- retention period for holding your personal information
- the right to withdraw consent at any time where relevant
- whether the provision of personal data is part of a statutory or contractual requirement or obligation and possible consequences of failing to provide the personal data
- the existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences

### **Changes to this private notice**

We keep our privacy notice under regular review. This privacy notice was last updated February 2018

### **How to contact us**

If you want to request information about our privacy policy you can email us: [legal@castlepoint.gov.uk](mailto:legal@castlepoint.gov.uk) or write to us at:



Civic Governance & Law  
Castle Point Borough Council  
Council Offices  
Kiln Road  
Thundersley  
Benfleet  
Essex SS7 1TF

### **CPBC's Data Protection Officer**

CPBC's Data Protection Office is Andrew Roby Smith and he may be contacted at the above address.

### **Information Commissioners Office**

If you want to any further information about your privacy rights or to make a complaint you can contact the Information Commissioner's Office at the address below:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire Sk9 5AF

Email: <https://ico.org.uk/global/contact-us/>

Website: [www.ico.org.uk](http://www.ico.org.uk)