

# Durham County Council Privacy Statement

## Introduction

Durham County Council is registered as a 'data controller' under the Data Protection Act as we collect and process personal information about you (this applies to council staff and members of the public). Our registration number is **Z1808275**

We process and hold your information in order to provide public services. This notice explains how we use and share your information. Information may be collected on a paper or online form, by telephone, email, CCTV or by a member of our staff, or one of our partners.

## Why do we collect information about you?

We need to collect and hold information about you, in order to:

- deliver public services
- confirm your identity to provide some services
- contact you by post, email or telephone
- understand your needs to provide the services that you request
- understand what we can do for you and inform you of other relevant services and benefits
- obtain your opinion about our services
- update your customer record
- help us to build up a picture of how we are performing at delivering services to you and what services the people of Durham need
- process financial transactions
- prevent and detect fraud and corruption in the use of public funds
- allow us to undertake statutory functions efficiently and effectively
- make sure we meet our statutory obligations including those related to diversity and equalities.

We may not be able to provide you with a product or service unless we have enough information.

## How we use your information

We will use the information you provide in a manner that conforms to data protection legislation. We will endeavor to keep your information accurate and up to date and not keep it for longer than is necessary. In some instances the law sets the length of time information has to be kept.

We will process your information for the following purposes:

- for the service you requested, and to monitor and improve the council's performance in responding to your request
- to allow us to be able to communicate and provide services and benefits appropriate to your needs

- to enable us to investigate any complaints
- to ensure that we meet our legal obligations
- where necessary for the law enforcement functions
- to prevent and detect fraud or crime
- to process financial transactions including grants, payments and benefits involving the council, or where we are acting on behalf of other government bodies, e.g. Department for Work and Pensions
- to collect monies owed to us
- where necessary to protect individuals from harm or injury
- to allow the statistical analysis of data so we can plan the provision of services.
- for research purposes

We will not disclose any information that you provide 'in confidence' to us, to anyone else without your permission, except in the few situations where disclosure is required by law, or where we have good reason to believe that failing to share the information would put you or someone else at risk. You will be normally told about this.

We may process your information overseas using web services that are hosted outside the European Union, but only with data processing agreements that meet our obligations under the Data Protection Act.

### **Information sharing**

We may need to pass relevant information about you to other people and organisations or where we have an information sharing agreement to deliver a service. These people and organisations are obliged to keep your details securely, and use them only in accordance with data protection legislation so you can be confident they all comply with the same privacy principles. Sharing agreements are published where information is shared for specific purposes.

We may disclose information to other partners without consent where it is necessary, either to comply with a legal obligation, or where permitted under data protection legislation, e.g. where the disclosure is necessary for the purposes of the prevention and/or detection of crime.

In some cases, where we need to disclose sensitive or confidential information such as medical details to other partners, this will be done in accordance with the lawful basis as required within the legislation.

We may disclose information when necessary to prevent risk of harm to yourself or another individual.

At no time will your information be passed to organisations for marketing or sales purposes or for any commercial use without your prior express consent.

## **Improving customer records -**

We are working to make our record keeping more efficient and be able to provide relevant services more quickly across our partners in Durham.

When you register on the Durham County Council website, this creates a basic customer record which comprises of your name, address, date of birth, gender, contact details (telephone/email), information which can be used to confirm your identity, a brief summary of your contact with the council, an indicator of the services used, and a customer reference number. This will not contain extensive details of the services you have received. However, this will also act as an index to other council systems, and be able to feed information into them, for example, so you can tell us once of changes to your address and contact information.

## **Public Health**

Aggregated, anonymised or pseudonymised health data is used by Durham County Council in supporting the effective and efficient discharge of its statutory duty and wider responsibilities to improve and protect the health and wellbeing of the populations it serves, and reduce health inequalities. For more information of the role and duties of the Public Health function see: <http://www.durham.gov.uk/health>

## **Detect and prevent fraud or crime**

Durham County 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.

Internal Audit is a statutory service in the context of the Accounts and Audit Regulations (England) 2011, which state that "A relevant body must undertake an adequate and effective internal audit of its accounting records and of its system of internal control in accordance with the proper practices" and as such Internal Audit's role applies to all functions and services for which the Council is responsible.

The Public Sector Internal Audit Standards (PSIAS) and CIPFA's Local Government Application Note (LGAN), which came into effect April 2013, constitute proper practices to satisfy the requirements for larger relevant local government bodies as set out in the Accounts and Audit Regulations 2011. In order to fulfil the role of providing an independent assurance that the Councils risk management, governance and internal control processes are operating effectively all data collected by the organisation can be reviewed / examined.

We may also share this information with other bodies responsible for auditing, administering public funds, or where undertaking a public function, in order to prevent and detect fraud. This includes the Cabinet Office, the Department for Work and Pensions, other local authorities, HM Revenue and Customs, and the Police.

Section 68 of the Serious Crime Act 2007 enables public authorities to disclose information for the purposes of preventing fraud, as a member of a specified anti-fraud organisation or otherwise in accordance with any arrangements made with such an organisation.

For further information see our page on the National Fraud Initiative at <http://www.durham.gov.uk/article/2535/National-Fraud-Initiative>

In limited situations we may monitor and record electronic transactions (website, email and telephone conversations). This will only be used to prevent or detect a crime, or investigate or detect the unauthorised use of the telecommunications system and only as permitted by the Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000.

### **Emergency response management**

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

### **Telephone calls**

When you telephone us we may need to ask you security questions to check who you are. It may be necessary for us to ring you back or for us to respond in writing in order to safeguard your information.

Ordinarily we will inform you if we record or monitor any telephone calls you make to us. This will be used, to increase your security, for our record keeping of the transaction and for our staff training purposes.

### **Emails**

If you email us we may keep a record of your contact and your email address and the email for our record keeping of the transaction. For security reasons we will not include any confidential information about you in any email we send to you without discussing the risks of doing so with you first. Information you send to us from home or insecure email accounts could potentially be accessed in transit by a third party. We would also suggest that you keep the amount of confidential information you send to us via unsecured email to a minimum and use our secure online services.

### **Using our website**

If you are a user with general public access, the Durham County Council website, <http://www.durham.gov.uk/>, does not store or capture personal information, but merely logs a number called your IP address which is automatically recognised by the system.

The system will record personal information if you:

- subscribe to or apply for services that require personal information,
- report a fault and give your contact details for us to respond,
- contact us and leave your details for us to respond.

We employ cookie technology to help log visitors to our web site. A cookie is a string of information that is sent by a web site and stored on your hard drive or temporarily in your computer's memory. The information collected is used for the administration of the server and to improve the service provided by the web site. No personal information is collected this way. You can reject the use of cookies but you may be asked for information again, e.g. to participate in a survey.

This statement only covers the council web sites maintained by us, and does not cover other websites linked from our site.

## **CCTV/Surveillance**

We have installed CCTV systems in some of our premises used by members of the public, for the purposes of public and staff safety and crime prevention and detection. CCTV is also installed on the outside of some of our buildings for the purposes of monitoring building security and crime prevention and detection.

They are installed in our recycling sites for the purposes of public and staff safety, crime prevention and detection, and the abuse of council policies. They are installed on highways for the purpose of monitoring traffic on a permanent or temporary basis.

In all locations, signs are displayed notifying you that CCTV is in operation and providing details of who to contact for further information about the scheme.

Images captured by CCTV will not be kept for longer than necessary. However, on occasions there may be a need to keep images for longer, for example where a crime is being investigated.

## **Body Cameras**

Body Cam incorporating audio recording are used by Neighbourhood Wardens and other enforcement officers when necessary for operational purposes.

The aim of Body Cam technology is to:

- promote the safety of the Officers
- reduce the potential number of confrontational situations experienced by Officers
- reduce potential escalation of incidents
- augment opportunities for evidence capture

You have the right to see images/audio recording of yourself in accordance with data protection legislation and be provided with a copy of the images.

We will only disclose images and audio to other authorised bodies who intend to use it for the purposes stated above. Images and audio will not be released to the media for entertainment purposes or placed on the internet for public viewing.

We operate CCTV and disclose in accordance with the codes of practice issued by the Information Commissioner and the Home Office.

More information is available on the 'Accessing your Personal Data' page of Durham County Council's website:

<http://www.durham.gov.uk/article/2754/Accessing-your-personal-data>

## **How we protect your information**

Our aim is not to be intrusive, and we won't ask irrelevant or unnecessary questions.

The security of your personal information is important to us. This is why we follow a range of security policies and procedures to control and safeguard access to and use of your personal information.

Procedures used 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'
- 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

Durham County Council has a number of policies in place that define its commitments and responsibilities to your privacy and cover a range of information and technology security areas.

We also provide training to staff who handle personal information and treat it as a disciplinary matter if they misuse or do not look after your personal information properly.

We will not keep your information longer than it is needed or the law says we can. We will dispose of paper records or delete any electronic personal information in a secure way.

## **Your rights**

Your information rights are set out in the law. Subject to some legal exceptions, you have the right:

- to have any inaccuracies corrected
- to have your personal data erased
- to place a restriction on our processing of your data
- to object to processing
- to request your data to be ported (data portability).

How your rights work depends on the legal basis for collecting and using your personal information. The following rights are modified depending on the legal basis:

|                      | Right to erasure | Right to portability | Right to object               |
|----------------------|------------------|----------------------|-------------------------------|
| Consent              | √                | √                    | x                             |
|                      |                  |                      | but right to withdraw consent |
| Contract             | √                | √                    | x                             |
| Legal obligation     | x                | x                    | x                             |
| Vital interests      | √                | x                    | x                             |
| Public task          | x                | x                    | √                             |
| Legitimate interests | √                | x                    | √                             |

If you wish to exercise your information rights, please contact the Data Protection Officer at [DPO@durham.gov.uk](mailto:DPO@durham.gov.uk) or alternatively write to:

DPO, Room 143-148, Floor 4, County Hall, Durham County Council, DH1 5UF.

You also have the right to request a copy of the personal information the council holds about you. To do this, you can apply online or download an application form from the [DCC website](#) or you can contact the data protection team at [dataprotection@durham.gov.uk](mailto:dataprotection@durham.gov.uk)

To learn more about these rights please see the [ICO website](#).

### Further information

We will provide further guidance on what information is shared with other organisations on data collection forms, privacy notices and specific service sharing agreements. You can also find further information on our service Privacy Notices at <http://www.durham.gov.uk/dataprivacy>

**Customer Services**, Durham County Council, County Hall, Durham, DH1 5UL

Telephone: 03000 260000

Online: <http://www.durham.gov.uk/haveyoursay>

If you require general information about the Data Protection Act, information is available on the Information Commissioner's web site: [www.ico.gov.uk](http://www.ico.gov.uk) .

### Changes to this privacy notice

We will continually review and update this privacy notice to reflect changes in our services and feedback from service users, as well as to comply with changes in the law. When such changes occur, we will revise the date at the bottom of this notice and the current version will be available at: <http://www.durham.gov.uk/dataprivacy>