

Privacy Policy – Legal Services Department

This privacy notice explains how Dacorum Borough Council (the ‘Controller’) will use any personal information we collect about you when you use our services.

It has been written to give you a clear explanation of our data processing practices to safeguard you and your personal information

What information do we collect about you?

- Name, Address, DOB, and contact details, proof of EU Citizenship
- Names and Addresses of Witnesses
- Other proof of life information
- Online identifiers

How will we use the information about you?

The information that the Council will collect varies depending on how you use the Council’s Services. We are using the information provided in this case because we have a Legal obligation {GDPR Article 6(1)(c)} “processing is necessary for compliance with a legal obligation to which the Council is subject” or GDPR {Article 6(1) (e) – Public Task / Official Authority in this case; under the Local Government Act 1972, Local Government Act 1974 (complying with reports from the Local Government Ombudsman) Local Government Act 2000, Freedom of Information Act 2000, Environmental Information Regulations 2004, Data Protection Act 2018, General Data Protection Regulations (GDPR), The Regulation of Investigatory Powers Act 2000, Social Housing Fraud Act 2013 and the Environmental Health Act 1990. The Council also has an obligation under GDPR Article 6 (1) (a) “Data subject has given consent to processing”.

We are collecting personal information so that we can;

- Fulfil a statutory obligation under areas of law / common law including;
 - Employment
 - Litigation
 - Prosecution
 - Commercial Property
 - Land / Property Sale and Purchase
 - Leases
 - Wayleaves and Easements
 - Deeds of Variation
 - Planning
 - Regulatory Services
 - Local Government
 - Judicial Review
 - Proof of Life
 - Copies of Conveyances
- Administer requests for Information under the Information Access Laws (FOI, DPA and EIR)
- Council Constitution (Appoint Officers)
- Process Applications under the Right to Buy Scheme
- Copy Counterpart Leases to the Conveyances and associated transactions to Right to Buy Scheme
- Leasehold residential property change of ownerships
- Debt Recovery
- Service Improvement and Planning
- Improving our services via use of surveys (i.e. Freedom of Information Process)

Special Categories of Data

If you are providing us with special category personal information (such as details about your health), we will be processing this under GDPR Article 9(2) and Article 10.

- Criminal History
- Medical History
- Ethnicity

Processing of Special Category Data is carried out specifically under the following;

Article 6(1) (c) – processing is necessary for compliance with a legal obligation to which the controller is subject

Article 9(2) (a) – the data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject;

Article 9(2) (b) - processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of social security and social protection law.

Article 10 - Processing of personal data relating to criminal convictions and offences

Sharing / Recipients

Below is a list of who we may share the information (recipients) for the purposes of carrying out the functions (listed above);

- HM Courts Service
- Process Servers
- Hertfordshire County Council
- Other Solicitors / Legal representatives of other parties
- Counsel
- Information Commissioners Office
- Investigatory Powers Commissioner
- Local Government Ombudsman
- Expert Witnesses
- Internal Departments (Housing , Finance for RTB, all others for FOI, DPA and EIR)
- Police and other crime enforcement agencies.
- Other public authorities e.g. Schools, NHS, Councils, government departments (HMRC, DWP, Immigration etc.)
- Local Safeguarding Board
- Land Registry
- Debt Collectors
- Union Representatives
- Elected Members and MP's (as your representative)
- Suppliers of systems for improvement purposes only (and only with consent)

How long will we keep this information?

We will destroy this personal information in accordance with our [Retention Policy](#). To determine how long we should keep information, we consider what the legislation states and what is good practice. This means we will securely destroy the information once we no longer need it. If you would like to know the specific period of time that relates to your personal information, please contact foi@dacorum.gov.uk

Security and Location of Data

We will ensure that all personal information is kept securely on servers hosted in the United Kingdom or the EU.

Access to all our user information is restricted. Only employees who need the information to perform a specific job are granted access to personally identifiable information.

The servers on which we store personally identifiable information are kept in a secure environment that is continually monitored and tested.

Accuracy of Personal Data (Article 5(1) (d))

“Personal data must be accurate and, where necessary kept up to date; every reasonable step must be taken to ensure that Personal Data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay.”

You have a right to request information about you be corrected. Please contact the Legal Department on foi@dacorum.gov.uk, who will validate the information and update the information in our systems accordingly.

Individuals’ Rights

You have a right to request a copy of the personal information that we hold about you. If you would like a copy of some or all of your information, please contact foi@dacorum.gov.uk in the first instance or visit <http://www.dacorum.gov.uk/home/open-data/personal-information>

You may have a right to request erasure of Special Category information (where the lawful basis is consent (information has been freely provided by you in support of an application), and the council do not have a legal obligation to process this information. The Council will consult with the relevant agency; i.e. Police, Health Organisations, Trusts, County Council, Safeguarding Teams, to validate your request prior to consideration of the request to remove.

You have a right to request erasure, rectification or restriction where you have provided the Council information under on the lawful basis of consent (Article 6(1) (a)). You may also withdraw your consent to the Council processing the information you have provided to us under this lawful basis. Please contact foi@dacorum.gov.uk in the first instance.

Notification of changes

From time to time, it will be necessary to update this Privacy Policy. This is in order to ensure our users are always aware of what information we collect, how we use it, and under what circumstances, if any, we disclose it.

If at any point, we decide to use personally identifiable information in a manner different from that stated at the time it was collected, we will notify users. Users will have a choice as to whether or not we use their information in this different manner. We will use information in accordance with the privacy policy in force at the time the information was collected.

Cookies

Cookies are text files placed on your computer to collect standard internet log information and visitor behaviour information. This information is used to make your use of the internet better. For further information on how we use these and how you can control it, please visit <http://www.dacorum.gov.uk/home/cookies-policy>

Our Data Protection Policy

We have a General Data Protection Regulation (GDPR) Policy in place and this can be found [here](#):

Data Protection Officer

Our Data Protection Officer for the purposes of Articles 37 to 39 of the General Data Protection Regulation is the Information Security Team Leader (Legal Governance). You can contact them by emailing foi@dacorum.gov.uk or calling 01442 228538.

Policy Version

This Policy was last updated on 22/09/21