

Privacy Notice

Newcastle City 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, or you require this information in another format, please contact the Data Protection Officer, Phil Slater at dataprotection@newcastle.gov.uk or by calling (0191) 2116500.

Why we use your personal information

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 classed as 'sensitive'?

Some information is 'sensitive personal information' and needs more protection because of this. It is often information which is very personal to you. This could include information about your:

- sexuality and sexual health
- religious or philosophical beliefs
- ethnicity
- physical or mental health
- trade union membership
- political opinion
- genetic/biometric data
- criminal history

Why do we need your personal information?

We may need to use some information about you to:

- deliver services and support to you;
- 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.

For more detail on the services we provide, please see our the Appendix at the end of this document.

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.

Generally, we collect and use personal information where:

- you have entered into a contract with us
- it is necessary to perform our statutory duties
- it is necessary to protect someone in an emergency
- it is required by law
- it is necessary for employment purposes
- you, or your legal representative, have given consent
- 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

If we rely on your consent to use your personal information, you have the right to remove it at any time. If you want to remove your consent, please contact dataprotection@newcastle.gov.uk and tell us which service you're 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 requirement.

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.

We do not 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 used by Newcastle City Council, and how we use it

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 us to disclose to you all of the information held about you. When we receive a request from you in writing, we must give you access to everything you are legally entitled to see that we have recorded about you.

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

- Confidential information about other people; or
- Data that 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 give us permission, we will also let others see your record (except if one of the points above applies).

If you cannot 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 dataprotection@newcastle.gov.uk or phone (0191) 2116500.

You can ask to change information you think is inaccurate

You should let us know if you disagree with something we have recorded about you.

We will correct factual inaccuracies. However, we may not always be able to change or remove certain information we hold about you but we may include your comments in the record to show that you disagree with it.

If you have any queries about the accuracy of your data, please contact dataprotection@newcastle.gov.uk or phone (0191) 2116500.

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 purpose it was collected in the first place

- Where you have withdrawn your consent for us to use your information (where there is no other legal reason for us to continue 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 instruct those using your personal information to comply with your request for erasure.

Please note that we cannot delete your information where:

- We are required to use it by law
- it is used for freedom of expression
- it is used for public health purposes
- it is for, scientific or historical research, 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 about this
- 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 has been restricted, it can only be used to; ensure secure storage, to handle legal claims and protect others with your consent, or where it is for important public interests of the UK.

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 being.

It is likely that data portability will not 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.

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 given your consent.

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 Newcastle City Council 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 will 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 in place to make sure that the organisation complies with data protection law.

We will 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. This is often because we need to give that data to courts, for example:

- if we take a child into care;
- if the court orders that we provide the information; and
- if someone is taken into care under mental health law

We may also share your personal information when we feel there is a good 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 there are serious risks to the public, our staff or to other professionals
- to protect a child
- 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 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 will do what we can to make sure we hold records about you (on paper and electronically) in a secure way, and will 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'

- Pseudonymisation, meaning that we will 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 (commonly called patches)

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 is 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 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. This ranges from months for some records to decades for more sensitive records.

Cookies and how you use our website

To make our website easier to use, we sometimes place small text files on your device (for example your iPad or laptop) called cookies. Most big websites do this too.

They improve things by:

- remembering the things you have chosen while on our website, so you don't have to keep re-entering them whenever you visit a new page
- remembering data you have given (for example, your address) so you don't need to keep entering it
- measuring how you use the website so we can make sure it meets your needs

By using our website, you agree that we can place these types of cookies on your device.

We do not use cookies on this website that collect information about what other websites you visit (often referred to as privacy intrusive cookies).

Our cookies are not used to identify you personally. They are just here to make the site work better for you. You can manage and/or delete these files as you wish.

To learn more about cookies and how to manage them, visit AboutCookies.org

How you use this website (Google Analytics)

We use Google Analytics to collect information about how people use this site. We do this to make sure it is meeting peoples' needs and to understand how we can make the website work better.

Google Analytics stores information about what pages on this site you visit, how long you are on the site, how you got here and what you click on while you are here.

We do not collect or store any other personal information (e.g. your name or address) so this data cannot be used to identify who you are however the information generated by the cookie about your use of the website, including your IP address, may be transmitted to and stored by Google.

We also collect data on the number of times a word is searched for and the number of failed searches. We use this information to improve access to the site and identify gaps in the content and see if it is something we should add to the site.

Unless the law allows us to, we do not:

- share any of the data we collect about you with others, or
- use this data to identify individuals

Other people's cookies

We use videos from YouTube and feeds from other websites such as Facebook and Twitter. These websites place cookies on your device when watching or viewing these pages.

Below are links to their cookie policies:

- [Google and YouTube](#)
- [Facebook](#)
- [Twitter](#)

Turning off cookies

You can stop cookies being downloaded on to your computer or other device by selecting the appropriate settings on your browser. If you do this, you may not be able to use the full functionality of this website.

There is more information about how to delete or stop using cookies on AboutCookies.org. You can also opt out of being tracked by Google Analytics.

Further guidance on the use of personal information can be found at ico.org.uk.

Where can I get advice?

If you have any questions about how your personal information is handled, please contact our Data Protection Officer at dataprotection@newcastle.gov.uk or by calling (0191) 2116500.

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.

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APPENDIX TO PRIVACY NOTICE

Reasons/purposes for processing information

We process personal information to enable us to provide a range of government services to local people and businesses which include:

- maintaining our own accounts and records
- supporting and managing our employees
- promoting the services we provide
- marketing our local tourism
- carrying out health and public awareness campaigns
- managing our property
- providing leisure and cultural services
- provision of education
- carrying out surveys
- administering the assessment and collection of taxes and other revenue including benefits and grants
- licensing and regulatory activities
- local fraud initiatives
- the provision of social services
- crime prevention and prosecution offenders including the use of CCTV
- corporate administration and all activities we are required to carry out as a data controller and public authority
- undertaking research
- the provision of all commercial services including the administration and enforcement of parking regulations and restrictions
- the provision of all non-commercial activities including refuse collections from residential properties,
- internal financial support and corporate functions
- managing archived records for historical and research reasons
- data matching under local and national fraud initiatives

Type/Classes of information processed

We process information relevant to the above reasons/purposes which may include:

- personal details
- family details
- lifestyle and social circumstances
- goods and services
- financial details
- employment and education details
- housing needs
- visual images, personal appearance and behaviour
- licenses or permits held
- student and pupil records
- business activities
- case file information

We also process sensitive classes of information that may include:

- physical or mental health details
- racial or ethnic origin
- trade union membership
- political affiliation
- political opinions
- offences (including alleged offences)
- religious or other beliefs of a similar nature
- criminal proceedings, outcomes and sentences

Who information is processed about

We process personal information about:

- customers
- suppliers
- staff, persons contracted to provide a service
- claimants
- complainants, enquirers or their representatives
- professional advisers and consultants
- students and pupils
- carers or representatives
- landlords
- recipients of benefits
- witnesses
- offenders and suspected offenders
- licence and permit holders
- traders and others subject to inspection
- people captured by CCTV images
- representatives of other organisations

Who information may be shared with

We sometimes need to share information with the individuals we process information about and other organisations. Where this is necessary we are required to comply with all aspects of the data protection act. What follows is a description of the types of organisations we may need to share some of the personal information we process with for one or more reasons.

Where necessary or required we share information with:

- customers
- family, associates or representatives of the person whose personal data we are processing
- current past and prospective employers
- healthcare, social and welfare organisations
- educators and examining bodies
- providers of goods and services
- financial organisations
- debt collection and tracing agencies
- private investigators
- service providers
- local and central government
- ombudsman and regulatory authorities
- press and the media
- professional advisers and consultants
- courts and tribunals
- trade unions
- political organisations
- professional advisers
- credit reference agencies
- professional bodies
- survey and research organisations
- police forces
- housing associations and landlords
- voluntary and charitable organisations
- religious organisations

- students and pupils including their relatives, guardians, carers or representatives
- data processors
- other police forces, non-home office police forces
- regulatory bodies
- courts, prisons
- customs and excise
- local and central government
- international law enforcement agencies and bodies
- security companies
- partner agencies, approved organisations and individuals working with the police,
- licensing authorities
- service providers
- press and the media
- healthcare professionals
- current past and prospective employers and examining bodies
- law enforcement and prosecuting authorities
- legal representatives, defence solicitors
- police complaints authority
- the disclosure and barring service
- healthcare professionals

Consultancy and Advisory Services

Information is processed for consultancy and advisory services that are offered. For this reason the information processed may include name, contact details, family details, financial details, and the goods and services provided. This information may be about customers and clients. Where necessary this information is shared with the data subject themselves, business associates and other professional advisers, current, past or prospective employers and service providers.