

## Merthyr Tydfil County Borough Council Privacy Notice COUNCIL SERVICES

This notice has been written in accordance with the General Data Protection Regulations and relevant legislation.

### Information Governance Team

**Lisa Richards** - Data Protection Officer

**Sam Bishop** - Data Disclosure and Records Officer

Civic Centre, Castle Street, Merthyr Tydfil, CF47 8AN

Data.Protection@merthyr.gov.uk

01685 7250000



Cyngor Bwrdeistref Sirol  
**MERTHYR TUDFUL**  
**MERTHYR TYDFIL**  
County Borough Council

Date Created:	25 May 2018
Responsible Department:	Information Governance Team
Responsible Manager:	Ellis Cooper
Address:	MTCBC, Civic Centre, Castle Street, Merthyr Tydfil, CF47 8AN

Merthyr Tydfil County Borough Council is responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice applies to all of the Council's clients, customers, contractors, residents of the borough and other individuals accessing our services. This notice does not form part of any contract to provide services. We may update this notice at any time if we do we will ensure that an updated copy of this notice is made available to you as soon as reasonably practical.

It is important that you read and retain this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information and what your rights are under the data protection legislation.

### IDENTITY AND CONTACT DETAILS OF THE DATA CONTROLLER

Merthyr Tydfil County Borough Council is the Data Controller and is committed to protecting the rights of individuals in line with the Data Protection Legislation including the GDPR.

#### Contact details of the Data Protection Officer

Merthyr Tydfil County Borough Council has appointed a Data Protection Officer who can be contacted using the following details:

Mrs. Lisa Richards (Data Protection Officer)

Address:	Information Governance Team	Email: data.protection@merthyr.gov.uk
	Merthyr Tydfil County Borough Council	Tel: 01685 725000
	Civic Centre	Fax: 01685 725060
	Castle Street	
	Merthyr Tydfil	
	CF47 8AN	

## WHAT INFORMATION DO WE HOLD ABOUT YOU

Personal data, or personal information, includes any information about an individual from which that person can be identified. There are special categories of more sensitive personal data which require a higher level of protection.

We will collect, store, and use the following categories of personal information about you throughout all of our internal departments in order to deliver our services to you:

- Personal Descriptors including:
  - Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.
  - Date of birth.
  - Gender.
  - Marital status and dependants.
  - Next of kin and emergency contact information.
  - CCTV footage and other information obtained through electronic means.
  - Photographs.
- Identification Numbers:
  - National Insurance number.
  - Payroll Number.
  - ID Numbers.
  - Driving Licence Number.
  - Health IDs.
  - Planning Application Number.
- Financial Details:
  - Bank account details, payroll records including your payroll number and tax status.
  - Payment history
  - Financial Status.
  - Compensation history.
- Credit Records:
  - Loan details.
  - Credit worthiness.
  - Credit history.
  - Purchases.
  - Spending habits.
- Employment Records:
  - Salary, annual leave, pension and benefits information.
  - Start date or the date of continuous employment, leaving date, your reason for leaving.
  - Location of employment or workplace.
  - Recruitment information
  - Job titles, work history, working hours, holidays, training records and professional memberships.
  - Performance information.
  - Disciplinary and grievance information.
  - Flexi card records.
  - Information about your use of our information and communications systems.
  - Results of HMRC employment status check

- Education:
  - Education History.
  - Exam Results.
  - Predicted Grades.
  - Assessment and attainment data, such as key stage 1 and phonics results, post 16 courses enrolled for and any relevant results.
  - School attendance records such as sessions attended, number of absences, absence reasons and any previous schools attended.
  - Behavioural information such as exclusion and suspension data.

We will also collect, store and use the following special categories of personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.
- Trade union membership.
- Information about criminal convictions and offences.
- Family or individual health history, health records, blood type, current and past medications and prescriptions.
- Information about your health, including any medical condition, health and sickness records, including:
  - where you leave employment and under any share plan operated by a group company the reason for leaving is determined to be ill-health, injury or disability, the records relating to that decision;
  - details of any absences (other than holidays) from work including time on statutory parental leave and sick leave; and
  - where you leave employment and the reason for leaving is related to your health, information about that condition needed for pensions and permanent health insurance purposes.
- Genetic information and biometric data.

## **HOW IS YOUR PERSONAL INFORMATION COLLECTED**

We collect personal information about you through collection forms available online and within the Councils offices, through telephone calls with you, within correspondence. We may sometimes collect additional information from third parties including private companies, housing associations, child care agencies, fostering and adoption agencies, charities, the national health service, other local authorities, government departments, the police force, the fire service, GP's and medical practices and others. We will input your personal information into our Council systems which are held within our ICT servers and hosted in the Cloud.

We will collect additional personal information in the course of our Council business functions and the services we provide to you throughout your contact with us.

Specific details regarding how our departments process personal information can be found within their privacy notices which are available on our website or directly from that department or the Council's Information Governance Team.

## **HOW WE WILL USE INFORMATION ABOUT YOU**

We will only use your personal information when the law allows us to. We will use your personal information in the following circumstances:

1. Where we have received your consent to provide you with a service.
2. Where we need to perform the contract we have entered into with you.
3. Where we need to comply with a legal obligation.
4. Where we need to protect your interests (or someone else's interests).
5. Where it is needed in the public interest or for official purposes within our public task.
6. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

### **Situations in which we will use your personal information**

We need all the categories of information in the list above primarily to allow us to perform our statutory functions as a local authority, this will include providing you with services in accordance with a contract with you; to enable us to comply with legal obligations, such as administer council tax, to perform our public tasks, such as deliver education, to protection your vital interests when you are faced with emergency situations. In some cases we may use your personal information to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests.

All Council departments process personal information in order to perform our service and business functions. The Council is made up of the following departments who collect, use and share your personal information internally and externally with our approved providers.

The Chief Executive Directorate including:

Legal

Democratic Services, Scrutiny Services and Electoral Services

Human Resources and Organisational Development

Information Governance Team

Services reporting directly to the Deputy Chief Executive:

Business Change Team including Equalities, Risk Management and Welsh Language, Sustainable Development, Partnerships and Public Services Board

Communications, Consultation and Engagement Team

IT Team including Print

Emergency Planning

Corporate Services which includes:

Service and Executive Support

Customer Contact Centre

Revenues

Benefits

Internal Audit

Parking Services

CCTV and Lifeline

Finance Services which includes:

Accountancy and Insurance  
Procurement and Payments  
Corporate Finance

Community Regeneration including:

Physical Regeneration  
Economic Development  
Tourism  
Employment/Employability  
European and External Funding

Public Protection including:

Trading Standards and Licencing  
Environmental Health  
Home to School Transport/Subsidised Transport  
Registry Services  
Housing Services  
Disabled Facilities Grants  
Community Safety

Neighbourhood Services which includes:

Highways and Engineering  
Environmental Cleansing and Enforcement  
Parks and Bereavement Services  
Corporate Property and Estates  
Waste Management  
Fleet Management  
Planning and Countryside, Building Control, Development Control, Planning, Policy and Implementation

Learning Directorate which includes:

School Improvement  
Additional Learning Needs  
Inclusion and Wellbeing  
Governors Services  
School Planning and Improvement Services

Social Services Directorate which includes:

Community Wellbeing  
Adult Social Services  
Children Social Services  
Safeguarding

### **If you fail to provide personal information**

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you, or we may be prevented from complying with our legal obligations.

## **Change of purpose**

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## **HOW WE USE PARTICULARLY SENSITIVE PERSONAL INFORMATION**

Special categories of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data. We may process special categories of personal information in the following circumstances:

1. In limited circumstances, with your explicit written consent.
2. Where we need to carry out our legal obligations or exercise our public functions in accordance with various acts of parliament, in line with statutory guidance, codes of conduct or under the direction of Her Majesties Court and Tribunal Service
3. Where it is needed in the public interest, such as for equal opportunities monitoring.

We may also process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

## **DATA SHARING**

We may have to share your data with third parties, including third-party service providers. We require third parties to respect the security of your data and to treat it in accordance with the law.

### **Why might you share my personal information with third parties?**

We will share your personal information with third parties where required by law, where it is necessary to administer the services we are providing to you or where we have another legitimate interest in doing so.

### **Which third-party service providers process my personal information?**

Third parties include third-party service providers (including contractors and designated agents). The Council engages a number of third party service providers to assist us with the delivery of our public functions. All our third-party service providers and other data controllers are required to take appropriate security measures to protect your personal information in line with the Data Protection Legislation. Our third party suppliers and data controllers will provide you with information on how they use your personal information. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

### **When might you share my personal information with other data controllers?**

We will share your personal information with other data controllers as part of our regular reporting activities on service engagement, in the context of service users, for additional support and delivery of our core activities as a Local Authority, for system maintenance support and hosting of data.

We may share anonymised personal data on an annual basis regarding your participation in the services provided by the Council with Welsh Government for research and statistical analysis performed in order to improve the care and support provided to people in Wales.

We may also share personal data with the Wales Audit Office in order for them to carry out their statutory functions to support the Auditor General as the public sector watchdog for Wales.

### **How secure is my information with third-party service providers and other data controllers? What about other third parties?**

We may also need to share your personal information with a regulator or to otherwise comply with the law. This may include the National Health Service, the Police, the Ombudsman, the Information Commissioners Office or other Government Department and appointed Regulatory Commissioner's.

### **Transferring information outside the EU**

We will not transfer your data to any countries outside of the EU. If we do we will inform you as soon as possible. If we do, you can expect a similar degree of protection in respect of your personal information.

## **DATA RETENTION**

### **How long will you use my information for?**

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

Details of retention periods for different aspects of your personal information are available in our Records Management policy which is available on our website ([www.merthyr.gov.uk](http://www.merthyr.gov.uk)) or from the Information Governance Team who can be contacted on the details provided at the top of this notice. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer receiving services from the Council we will retain and securely destroy your personal information in accordance with our Records Management Policy including any applicable laws and regulations.

## RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION

### Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

### Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- **Request the transfer** of your personal information to another party.
- **Request access** to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the responsible manager detailed at the top of this notice in writing.

### No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

### What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.



## **RIGHT TO WITHDRAW CONSENT**

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the responsible manager detailed at the top of this notice. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

## **DATA SECURITY**

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

## **MAKING A COMPLAINT**

We have appointed a data protection officer (DPO) to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the Data Protection Officer using the contact details provided at the top of this privacy notice. You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues:

Information Commissioner's Office (Wales)  
2<sup>nd</sup> Floor  
Churchill House  
Churchill Way  
Cardiff  
CF10 2HH

Tel: 029 2067 8400  
Fax: 029 2067 8399  
Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)

## **CHANGES TO THIS PRIVACY NOTICE**

We reserve the right to update this privacy notice at any time, and we will ensure that the new privacy notice is made available to you when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.