

# Privacy Notice for Equality Monitoring

## Introduction

This notice is provided within the context of the changes required by the EU General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA). Thanet District Council is a 'data Controller'.

This document will therefore be subject to ongoing review to ensure it continues to align with the requirements of all applicable legislation.

## Service description

In order for Thanet District Council to ensure equal opportunities are being provided for protected groups, it is necessary for the council to collect, store and process some personal information by monitoring equality across its activities.

Equality is not about treating everyone the same, instead we need to make sure that we respond appropriately to different needs. We need to make sure that we understand and have taken account of the needs of people's protected characteristics. In order to do this, we need to gather information regarding the impact of our services and functions on the different protected groups. We also need to make sure that we are using the information to inform service planning and improvement.

## What information we hold

In order to provide these services, we may need to process some personal information, particularly the **special category of data** ("also known as **sensitive data**"), including;

- Race;
- Sex (formerly referred to as gender);
- Gender Reassignment;
- Disability;
- Age;
- Sexual Orientation;
- Pregnancy and Maternity;
- Religion and Belief; and
- Marriage and Civil Partnership.

## Where we get your information from

The Council obtain information for equality monitoring purpose from a range of sources, including:

- **Written surveys**- An anonymous survey, sent to someone to understand their satisfaction after receiving a service is one of the most effective ways of capturing monitoring information. It can often have the highest rate of completion and return, as it gives people the opportunity to express their views on the service received;

- Consultations;
- Face to face interviews;
- **Over the phone** - Ideally incorporated within other service related information being collected at the time, or when engaging with customers; or via
- Questions which could be added to the back of any forms or questionnaires already being completed.

### **How your information will be used**

The information you have shared with Thanet District Council may be used in a number of ways, for example:

- To enable us to meet all legal and statutory obligations by showing that we are eliminating unlawful discrimination and promoting equality of opportunity. As an organisation, we need to consider the impact that race, sex, transgender, disability, age, sexual orientation and religion or belief may have on the life chances of members of our communities;
- To enable us decide how best to provide accessible information and appropriate services to everyone, and see where there may be gaps;
- To assist in service planning – monitoring is vital for planning, targeting and measuring development in service provision. It can show inefficiencies in the way we organise services and indicate new opportunities to meet people’s needs;
- As a means of identifying if any policies or services are adversely affecting people;
- As a Public/Local Authority, to help us make sure that we are seeking the views of everyone in the community;
- To aid the Council in meeting the criteria for accessing financial and other resources from external sources, as many funding organisations now require assurance from bidders that they meet equalities and diversity requirements; and
- For Procurement, this enables the Council to ensure that contracts are delivered in a way which promotes equality of opportunity.

### **Who we will share your information with**

Once received, your personal information is anonymised and collated with others to generate demographic information.

We will not share your information with any other person or company, except where required to do so by law.

### **Lawful basis for processing data under GDPR**

The Council can collect personal and special categories of information to carry out tasks that they are under a statutory obligation to provide. Most personal information is processed in order to comply with a legal obligation and/or because they are necessary for the performance of a public task in the public interest.

Some Acts of law requires a duty to process information, these include:

- The Equality Act 2010; and
- The Public Sector Equality Duty 2011

### **Additional lawful basis for processing other categories of data**

Most of the information that is collected for equality monitoring is classified as **special category personal data**. In order to process special category of data, the Council needs to have an additional lawful basis to above. In this instance, special category of data is processed for reasons of substantial public interest to ensure equality of opportunity or treatment.

### **How long we keep your personal information**

We will endeavour to only keep information for as long as it is needed. However, some records will need to be retained for an appropriate period, for example for historical purposes to monitor progress/regression. In such case, your information will be pseudonymised or anonymised.

Once information is no longer required, it will be deleted or destroyed confidentially.

### **Your Rights**

The Data Protection Act 2018 in conjunction with the General Data Protection Regulation (GDPR) grants you a number of other rights. You have the right to request information that is held about you and this is known as the 'right of subject access'. Making a request for your personal information is known as a 'Subject Access Request'. You are entitled to receive a copy of your records **free of charge** and **within one calendar month** from the date a clear request is received or from validation of your identification. For more information on how we process your personal information and how to make a subject access request, please visit <https://www.thanet.gov.uk/privacy-statement/>

Please note that in certain circumstances access to your records may be limited, for example, if the records you have asked for contain information relating to another person.

You also have the right to rectify errors in your records, the right to object to the use of your information and the right to have your data erased. If you wish to exercise any of these rights, you should contact the Data Protection officer using the contact details provided below.

You have the right to be told if we have made a mistake whilst processing your data and we will self-report breaches to the Information Commissioner.

This is also available in other formats (e.g. prints)

### **Further information**

If you would like to know more about how we use your information or to exercise any of your rights, please contact:

Data Protection Officer  
Thanet District Council  
Cecil Street  
Margate  
CT9 1XZ  
Email: [dataprotection@thanet.gov.uk](mailto:dataprotection@thanet.gov.uk)  
Tel: 01843 577 000

### **How do I complain?**

You also have the right to complain to the Information Commissioner's Office, at:

The Information Commissioner  
Wycliffe House, Water Lane, Wilmslow, Cheshire  
SK9 5AF  
Phone: 0303 123 1113 or 01625 545745  
Website: [www.ico.org.uk](http://www.ico.org.uk)