

# Thanet District Council

## Corporate Privacy Notice

May 2022



## Where we hold personal information about you that we have collected from you

As a data controller, Thanet District Council determines the purposes and means of the processing of personal data. We are required by the UK General Data Protection Regulation (“GDPR”) and the Data Protection Act 2018 (“DPA”) to tell you in concise, transparent, clear and easily accessible form how we will use your personal data.

For ease of reading of this privacy notice, we refer to ‘personal data’ as ‘*Personal Information*’.

This privacy notice sets out how we will use any personal information we hold about you, who we will share it with and how we will protect your privacy. It also contains information about your rights.

## What is Personal Information?

Personal information can be any information that relates to or identifies a living person, directly or indirectly. Typically and at its most simple it could include a name, date of birth, postal address, email address, telephone number and debit or credit card details.

The law regards some personal information as being in a special category. This special category of personal information is given more protection by the law and includes information about an Individual’s:

- Race;
- Ethnic origin;
- Politics;
- Religion
- Trade union membership
- Genetics;
- Biometrics (where used for ID purposes);
- Health;
- Sex life;
- Sexual orientation

Where we want to use or share special category personal information we have to identify both a legal basis from one of those set out below, and, in addition, satisfy further conditions.

Personal information concerning criminal convictions and offences is not special category personal data, but is a very sensitive type of personal information which can only be held, used and shared in narrow circumstances.

## What we are required to tell you

Where we hold personal information about you which we have collected from you, we are required to provide you with certain information. We have provided this information in the table below. We consider that this is the best way of providing the information to you in a clear, transparent and easily accessible form.

This privacy notice will be supported by additional service specific privacy notices where appropriate that can be found here: <https://www.thanet.gov.uk/privacy-statement/>

## The Right to Object

We are required to explicitly bring to your attention, clearly and separately from any other information the existence of the **Right to Object**.

This is the right to object to processing based on the performance of a task in the public interest/exercise of official authority (including profiling); direct marketing (including profiling); and processing for purposes of scientific/historical research and statistics.

Further information is given in the table below:

The name and contact details of the data controller	Thanet District Council Cecil Street, Margate, CT9 1XZ
Contact details of the data controller's representative	Information Governance Team Thanet District Council Cecil Street, Margate, CT9 1XZ  Email: <a href="mailto:dataprotection@thanet.gov.uk">dataprotection@thanet.gov.uk</a> Tel: 01843 577000
Contact details of the data protection officer	Catherine Curtis, Data Protection Officer Thanet District Council Cecil Street, Margate, CT9 1XZ  Email: <a href="mailto:dataprotection@thanet.gov.uk">dataprotection@thanet.gov.uk</a> Tel: 01843 577000
The purpose of the processing of personal data	Each <a href="#">service area privacy notice</a> sets out the purposes for processing personal data. Generally, this will be for one or more of the following purposes: <ul style="list-style-type: none"><li>• To perform our statutory functions;</li><li>• To deliver services to you;</li><li>• To manage those services we provide;</li><li>• Confirm your identity;</li><li>• Process financial transaction such as invoices, payments and benefits;</li><li>• To train and manage the employment of our workers who deliver those services;</li><li>• To investigate any complaints you have about our services;</li><li>• To monitor spending on services;</li><li>• To check the quality of services;</li><li>• To plan services;</li><li>• Prevent and detect fraud, corruption and crime;</li><li>• To protect individuals from harm.</li></ul>

<p>The legal bases for processing</p>	<p>Each service specific privacy notice identifies one or more legal bases for the processing of personal information. Generally, the lawful basis will be one or more of the following:</p> <p>(a) <b>Consent:</b> you have given clear consent for us to process your personal data for a specific purpose. You can ask to remove consent by contacting <a href="mailto:dataprotection@thanet.gov.uk">dataprotection@thanet.gov.uk</a></p> <p>(b) <b>Contract:</b> the processing is necessary for a contract the Council has entered with you, or because you have asked The Council to take specific steps before entering into a contract.</p> <p>(c) <b>Legal obligation:</b> the processing is necessary for the Council to comply with the law (not including contractual obligations).</p> <p>(d) <b>Vital interests:</b> the processing is necessary to protect someone's life.</p> <p>(e) <b>Public task:</b> the processing is necessary for the Council to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law.</p> <p>(f) <b>Legitimate interests:</b> the processing is necessary for our legitimate interests or the legitimate interests of a third party, unless there is a good reason to protect the individual's personal data which overrides those legitimate interests. (This cannot apply if the Council is processing data to perform our official tasks.)</p>
<p>The recipients or categories of recipients of your personal information.</p>	<p>We will generally only allow your personal information to be used by those Council staff who need it to perform their functions.</p> <p>The Council has outsourced some of its services to either joint arrangements with other local authorities, arm's length partly owned companies, or private sector companies who provide services on our behalf. These organisations collect and use personal information on our behalf to provide services. We will need to supply your information to these organisations in order to supply a service to you. These are:</p> <p><b>EK Services</b> A joint administrative arrangement with Canterbury City Council, Dover District Council and Thanet District Council which provides services relating to revenues and benefits, ICT and manages the Council's contract with Civica UK Ltd.</p> <p><b>EK Human Resources</b> A joint administrative arrangement with Canterbury City Council, Dover District Council and Thanet District Council which provides payroll services to the Council.</p> <p><b>East Kent Audit Partnership</b> A collaborative shared service arrangement with Canterbury City Council, Dover District Council, Folkestone &amp; Hythe District Council and Thanet</p>

	<p>District Council which provides Internal Audit services to the Partners as well as EK Services.</p> <p><b>Civica UK Limited</b> A private sector company which provides benefit services, income collection services, council tax and business rates administration and collection services and customer contact services to the Council.</p> <p><b>Google LLC</b> A private company, employed as a data processor by the Council, who provides services such as, but not limited to, email, word processing, spreadsheets and electronic file storage.</p> <p>Personal information may also be shared with the police, the Department for Work and Pensions, HMRC and other councils when we are either permitted to or are required to by law.</p> <p>The Council is a signatory to the <a href="#">Kent and Medway Information Sharing Agreement</a>. The types of purposes for which it is legitimate to share your personal information are set out in the Agreement. We may share the personal information of our service users where it is fair and lawful to do so and where the sharing takes place in a transparent manner. Our purposes for sharing information will be specified in our service specific privacy notices.</p> <p>We will not make your personal information available to companies for marketing purposes. We may share information with partners to achieve purposes that benefit you or the local community.</p>
<p>Intent to transfer personal data to a third country or international organisation</p>	<p>Should it be necessary to transfer personal information outside the European Economic Area it will only be transferred to a third country or international organisation which the European Commission has decided has appropriate safeguards, including binding corporate rules.</p>
<p>The period for which the personal data will be stored, or if that is not possible, the criteria used to determine that period</p>	<p>We will only keep your personal information for as long as we consider it is necessary to be retained. We have a data retention schedule which lists how we would intend to keep your personal information. This may be viewed on request. We will review our data retention schedule from time to time and therefore the time periods specified in it may change. Once personal information is no longer needed it will be deleted or destroyed confidentially.</p>
<p>Rights of individuals whose information we hold.</p>	<p><b>The right to be informed</b></p> <p>We are required to supply you with information about the processing of your personal information through notices such as this one.</p> <p><b>The right to access personal information that we hold about you</b></p> <p>You have the right to obtain from us confirmation that your personal</p>

information is being processed and access to your personal information. This is so that you are aware of and can verify the lawfulness of processing. There is generally no charge for this. We will provide your personal information without delay and generally within one month of the receipt of your request.

### **The right to rectification of your personal information**

You have the right to have any personal information which we hold about you rectified if it is inaccurate or incomplete. We will generally deal with your request within one month.

### **The right to erasure of your personal information (This is sometimes called the 'right to be forgotten').**

There are some specific circumstances where the right to erasure does not apply and we can refuse to deal with a request for example, where we are under a legal obligation to process your personal information in order to perform a task in the public interest.

You have the right to have personal information erased and to prevent processing in specific circumstances:

- Where the personal information is no longer necessary in relation to the purpose for which it was originally collected/processed.
- When you withdraw consent.
- When you object to the processing and there is no overriding legitimate interest for continuing the processing.
- The personal information was unlawfully processed (i.e. otherwise in breach of data protection legislation).
- The personal information has to be erased to comply with a legal obligation.

### **The right to restrict processing of your personal data**

You have the right to restrict processing of your personal information in certain circumstances. Where processing is restricted we are permitted to store your personal information but we may not process it further. We can retain just enough information about you to ensure that the restriction is respected in future.

The right to restrict arises in the following cases:

- Where you contest the accuracy of your personal information, we may restrict the processing until we have verified the accuracy of the personal information.
- Where you have objected to the processing (where it was necessary for the performance of a public interest task), and we are considering whether our legitimate grounds override yours.
- When processing is unlawful and you have opposed erasure and requested restriction instead.

	<ul style="list-style-type: none"> <li>• If we no longer need your personal information but you require the personal information to establish, exercise or defend a legal claim.</li> </ul> <p><b>The right to information portability</b></p> <p>You have the right to obtain from us and reuse your personal information for your own purposes where you have provided the information to us yourself, where we process the information by automated means and where our basis for processing is based on consent or contract. Where this right applies we will provide you with your personal information in a structured, commonly used and machine readable form.</p> <p><b>The right to object</b></p> <p>You have a right to object to:</p> <ul style="list-style-type: none"> <li>• processing based on the performance of a task in the public interest/exercise of official authority (including profiling);</li> <li>• direct marketing (including profiling); and</li> <li>• processing for purposes of scientific/historical research and statistics.</li> </ul> <p>Where the objection is to processing your personal information for direct marketing purposes we must stop processing your personal information when we receive your objection.</p> <p>Where the objection is to processing your personal information for the performance of a public interest task we must stop processing your personal information unless we can demonstrate compelling legitimate grounds for the processing which override your interests, or, the processing is for the establishment, exercise or defence of legal claims.</p> <p>Where the objection is to processing your personal data for research purposes we do not have to comply with your objection where the processing of your personal information is necessary for the performance of a public interest task.</p> <p><b>Rights related to automated decision making including profiling</b></p> <p>Where we use automated decision making including profiling the service specific privacy notice will explain the logic involved, the significance and the potential consequences for you.</p>
<p>The right to withdraw consent</p>	<p>Where the legal basis for processing your personal information is consent, you have the right to withdraw that consent at any time by notifying us. Please contact <a href="mailto:dataprotection@thanet.gov.uk">dataprotection@thanet.gov.uk</a> and tell us which service you are using so that we can deal with your request.</p> <p>If you withdraw your consent it may not be possible to continue to provide you with that service.</p>

<p>The right to lodge a complaint</p>	<p>If you wish to complain about how we are processing your personal information please contact:</p> <p>The Data Protection Officer Thanet District Council Cecil Street, Margate, CT9 1XZ</p> <p>Email: <a href="mailto:dataprotection@thanet.gov.uk">dataprotection@thanet.gov.uk</a> Tel: 01843 577000</p> <p>You also have the right to complain to the Information Commissioner's Office, at:</p> <p>The Information Commissioner Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF</p> <p>Phone: 0303 123 1113 or 01625 545745 Website: <a href="http://www.ico.org.uk">www.ico.org.uk</a></p>
<p>The consequences of failing to provide personal information</p>	<p>There are occasions when you must provide personal information. Where such an obligation exists either as a statutory or contractual requirement, or a requirement necessary to enter into a contract the service specific privacy notices will tell you and explain the possible consequences of failure to do so.</p>
<p>Processing personal information for a purpose other than that for which it was originally collected</p>	<p>Where we intend to process your personal information for a purpose other than that for which the personal data was collected, we will provide you with information on that other purpose before doing so. We may use your personal information for another purpose if the new purpose is compatible with the old purpose, assessing any harm that could be caused.</p>
<p>Personal information about you which you have not provided to us</p>	<p>Sometimes we hold information about you which you have not provided to us. Where this is the case we will tell you in the service specific privacy notice. We will tell you the source of the information unless it is not possible to do so. If the specific source is not named then information will be provided about the nature of the sources (i.e. publicly/ privately held sources) and the types of organisation/industry/ sector.</p>
<p>How we store your information</p>	<p>Your information is securely stored and only accessible to staff who need it to process your requests. The Council takes information security very seriously and has a number of policies, procedures and processes to ensure the confidentiality, integrity and availability of all information we hold. For more information, this can be found in the specific service area privacy notices.</p>