

Your Privacy: Your right to be informed

13 August 2021

South Gloucestershire Council is committed to protecting your privacy when you use our services.

This Privacy Notice 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, please contact the Data Protection Officer at DPO@southglos.gov.uk, or write to us at Data Protection Officer, PO Box 1953, The Council Offices, Badminton Road, Bristol, BS37 0DB and we will be pleased to help you.

Why we use your personal information

What is personal information?

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 'special'?

Some information is legally defined as 'special' and needs more protection due to its sensitivity. It's often information you would not want widely known and is very personal to you. This is likely to include anything that can reveal your:

- physical or mental health
- genetic/biometric data
- religious or philosophical beliefs
- ethnicity
- sexuality and sexual health
- trade union membership
- political opinion
- 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
- to help with research and planning of new services.

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.

We collect and use personal information where it is necessary:

- to perform our statutory duties, for example to protect public health or deliver social care services or to collect council tax
- to protect someone in an emergency
- for employment purposes
- for meeting the terms of a contract you have entered into with us or are considering entering into
- for legal cases
- for us to comply with the law
- for archiving, research, or statistical purposes
- to the benefit of society as a whole or in the public interest

Alternatively, you have made your information publicly available or you, or your legal representative, have given consent. If we have 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 DPO@southglos.gov.uk and tell us which service you're using so we can consider your request.

We only use what we need

We will only collect and use your personal information for specific reasons as listed above. If we need to retain your information for research or service planning reasons we will remove any information that identifies you personally.

We don't sell your personal information to anyone, the exception being via the Open Electoral Register, which you have the option to opt-out of at any time.

What you can do with your information

The law gives you a number of rights to control the personal information we hold about you and use to provide you with services.

You can ask for access to the information we hold about 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 for all the information we have about you and the services you receive from us. When we receive a request from you in writing, we must give you access to everything we've recorded about you. However, we can't let you see any parts of your record which contain:

- confidential information about other people
- data a professional thinks will cause serious harm to your or someone else's physical or mental wellbeing
- if we think that giving you the information may stop us from preventing or detecting a crime

If you ask us, we'll also let others see your record (except where one of the points above applies).

If you can't ask for your records in writing, we'll make sure there are other ways that you can. If you have any queries about access to your information please contact [Customer Services](#) or 01454 868009.

You can ask to change information you think is inaccurate

You should let us know if you disagree with something written on your file.

We may not always be able to change or remove that information but we'll correct factual inaccuracies and may include your comments in the record to show that you disagree with it.

Please inform us of any inaccuracies by contacting [Customer Services](#)

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 reason why it was collected in the first place
- you have removed your consent for us to use your information (where there is no other legal reason for us to use it)
- there is no legal reason for the use of your information
- deleting the information is a legal requirement

Where your personal information has been shared with others, we'll do what we can to make sure those using your personal information comply with your request for it to be deleted.

Please note that we can't delete your information where:

- we're required to have 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 of it
- 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 is restricted it can't be used other than to securely store the data and with your consent to handle legal claims and protect others, or where it's for important public interests of the UK.

Where restriction of use has been granted, we'll inform you before we carry on using your personal information.

You have the right to ask us to stop using your personal information for any council service. However, if a request is approved this may cause delays or prevent us delivering that service.

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Where possible we'll 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're using your personal information with consent (not if we're required to by law) and if decisions were made automatically by a computer and not a by an employee of the Council.

It's likely that data portability won't 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 envisage the outcomes of such decisions affecting you.

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.

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've consented to it.

If and when South Gloucestershire 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'll be able to advise you about how we use your information.

Who do we share your information with?

We share information with a range of organisations. For instance, because they are delivering services on our behalf or jointly with us. When we are sharing information with other organisations we will have an information sharing agreement or contract in place that ensures compliance with data protection legislation.

We'll often complete a Data Protection Impact Assessment (DPIA) 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, including when:

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

We may also share your personal information when we feel there's a good reason that's more important than protecting your privacy. This doesn't happen often, but we may share your information:

- in order to find and stop crime and fraud; or
- if there are serious risks to the public, our staff or to other professionals;
- to protect a child; or
- 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're worried about your physical safety or feel we need to take action to protect you from being harmed in other ways, we'll 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'll make sure that we record what information we share and our reasons for doing so. We'll let you know what we've done and why, if we think it is safe to do so.

We may also use your personal information if it is in your vital interests, where your life is or could be in danger. This will not happen very often, if at all, but it will help to identify and assist individuals whose vital interests are threatened, and /or who need additional support during emergencies or major incidents, for example emergency evacuation or lock-down.

Public health

We have a duty to improve the health and wellbeing of South Gloucestershire residents which includes:

- measuring the health, mortality or care needs of the population
- planning, evaluating or monitoring health
- protecting or improving public health

To help with this, we use data and information from a range of sources, including data collected at the registration of a birth or death, and data collected by hospitals to enable us to understand more about the health and care needs in the area.

The legal basis for the sharing of this data is according to Section 42(4) of the Statistics & Registration Service Act (2007) as amended by section 287 of the Health and Social Care Act (2012) (Information relating to births and deaths) and Regulation 3 of the Health Service (Control of Patient Information) Regulations 2002 (Communicable disease and other risks to public health).

The following lawful conditions will apply: in the public interest or vested authority (GDPR Article 6.1.(e)) and the provision of health and social care (GDPR 9.2.(h)).

Often this is anonymised data, that is, data where key information has been removed to prevent the individual being identified. However, sometimes it needs to be identifiable data to enable us to understand more about the nature and causes of disease and ill-health in the area.

We will not share sensitive or confidential information without your consent (GDPR Article 6.1(a) and Article 9.2(a)), except in a small number of situations where disclosure is required by law, or where we have good reason to believe that failing to do so would put you or someone else at risk.

How do we protect your information?

We'll do what we can to make sure we hold records about you in a secure way, and we'll 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'll 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
- regularly 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 within South Gloucestershire Council buildings or elsewhere in the UK where we have contracted the storage to another service provider. However, there are some occasions where your information may leave the UK either in order to get to another organisation or if it's stored in a system outside of the UK.

In such arrangements we make sure that your information stays within the EU, where the EU has the same levels of protections for your information as we do here in the UK.

We also have additional protections on your information if it leaves Council buildings, ranging from secure ways of transferring data to ensuring we have a robust contract in place with any third parties involved.

We do not send information outside of the EU, but if in the future we need to we will inform you and take all practical steps to make sure your personal information continues to be kept 'safe' according to UK and EU Governments standards. Where appropriate we'll also seek advice from the Information Commissioner's Office before doing so.

How long do we keep your personal information?

Our services will need to retain your information for as long as they are working with you. Our records retention schedule sets out how long each service will retain information when the service ends. Legislation tells us how long we need to keep

some information, e.g. adoption records need to be retained for at 100 years from the date of the adoption order. However some services only need to retain the information for a short period of time.

Anonymised information

Anonymised information is personal information that has had all the personal identifiers removed or replaced, so that a person cannot be identified.

Once a service has been delivered, rather than completely destroying the information in accordance with our record retention schedules, we may anonymise the information about that service. This prevents individuals from being identified, but allows the rest of the information about the service to be used to help us plan and improve the service in the future.

The act of anonymising personal information must comply with the Data Protection Act, for example, the process is performed securely, access limited to the officers anonymising the data and checks are made to ensure cannot to re-identified in the future. Once personal information is anonymised and individuals cannot be identified the information is not subject to the Data Protection Act.

The anonymisation of personal information safeguards individuals' right to privacy and is a practical example of our application of the 'privacy by design' principles that data protection law promotes.

Where can I get advice?

If you have any worries or questions about how your personal information is handled please contact our Data Protection Officer at DPO@southglos.gov.uk.

For independent advice about data protection, privacy and data sharing issues, you can contact the Information Commissioner's Office (ICO) via their [contact page](#) or call them on 0303 123 1113.

Cookies and how you use our website

To make this 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've chosen while on our website, so you don't have to keep re-entering them whenever you visit a new page
- remembering data you've 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.

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The Council Advertising Network is responsible for delivering advertising on the South Gloucestershire Council website. Please take a moment to read their privacy policy which includes cookie information and details on how to opt out: <http://www.counciladvertising.net/can-privacy-policy.html>

Our cookies aren't used to identify you personally. They're 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.

Email marketing

We use MailChimp as our marketing automation platform. If you receive an email from us, the information you provide when subscribing will be stored by MailChimp in accordance with their [Privacy Policy](#) and [Terms](#). You can change your mind at any time and unsubscribe.

Event booking

We use Eventbrite as our event booking platform. If you register for an event online via our Eventbrite page, the information you provide when booking will be stored by Eventbrite in accordance with their [Privacy Policy](#) and [Terms](#).

How you use our website (something called Google Analytics)

We use Google Analytics to collect information about how people use this site. We do this to make sure it's 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.

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](#)

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Further guidance on the use of personal information can be found at [ico.org.uk](#).