

NOTTINGHAMSHIRE OFFICE OF THE POLICE AND CRIME COMMISSIONER

PRIVACY NOTICE

Who are we?

This Privacy Notice is provided to you by the Nottinghamshire Office of the Police and Crime Commissioner (hereafter the 'OPCC').

The OPCC is a separate legal entity to Nottinghamshire Police, established under the Police Reform and Social Responsibility Act, 2011. The Police and Crime Commissioner sets the priorities for Nottinghamshire Police, responding to the needs and demands of communities and ensuring that local and national priorities are suitably funded by setting a budget and monitoring local performance.

The Police Reform and Social Responsibility Act protects the operational independence of the Police; with the Chief Constable retaining direction and control of Nottinghamshire Police, officers and staff. The Police and Crime Commissioner is unable to intervene with operational policing matters and complaints regarding the conduct of police officers below the rank of Chief Constable.

More about the responsibilities of the Police and Crime Commissioner can be found at: <https://www.nottinghamshire.pcc.police.uk/About-Us/Commissioner-responsibilities.aspx>

Kevin Dennis, the Chief Executive of the OPCC is the data controller for any data we hold about you. He can be contacted by:

Writing to: Kevin Dennis, Chief Executive, Nottinghamshire Office of the Police and Crime Commissioner, Arnot Hill House, Arnot Hill Park, Arnold, Nottingham, NG5 6LU.

Telephoning: 0115 844 5998

Emailing: nopcc@nottinghamshire.pnn.police.uk

The Data Protection Officer for the OPCC and for Nottinghamshire Police is Pat Stocker. This arrangement is under review. Pat can be contacted by:

Writing to: Pat Stocker, Information Management Lead, Nottinghamshire Police HQ, Sherwood Lodge, Nottingham, NG5 8PP

Telephoning: 0115 9670999

Emailing: Pat.Stocker@nottinghamshire.pnn.police.uk

What is 'personal data'?

"Personal data" is any information about a living individual ('natural person') which allows them to be identified from that data (for example a name, photographs, email address or address). Identification can be by using the data itself or by combining it with other information which helps to identify a living individual. The processing of personal data is governed by legislation relating to personal data which applies in the United Kingdom including the General Data Protection Regulation (the 'GDPR') and other legislation relating to personal data and rights such as the Human Rights Act.

Some types of data are described in the GDPR as "Special categories of data" (for example, racial and ethnic origin, political opinions, beliefs, trade union membership, health data) and require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal data.

General Principles

The OPCC will ensure that the data we hold about you is:

- used lawfully, fairly and in a transparent way;
- collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes;
- relevant to the purposes we have told you about and limited only to those purposes;
- accurate and kept up to date;
- kept only as long as necessary for the purposes we have told you about; and
- kept and destroyed securely, including ensuring that appropriate technical and security measures are in place to protect your personal data from loss, misuse, unauthorised access and disclosure.

For more information about how long we will keep your data and when we delete it, please see our Data Retention and Handling Policy:

<https://www.nottinghamshire.pcc.police.uk/Document-Library/Public-Information/Policies-and-Procedures/Records-Retention-and-Disposal-Policy.pdf>

We will only store your data on systems within the European Economic Area (“EEA”).

Safeguarding

If we become aware of anyone who is in immediate danger of death or serious harm, we will share data necessary to protect the vital interests of the data subject or another person.

Job Applicants, Volunteers, Current and Former Employees

The OPCC employs staff to discharge the responsibilities of the Commissioner. The OPCC also acts as the employer of the Chief Constable.

Nottinghamshire Police and the OPCC have entered into a partnership with the Chief Constables and PCCs for Cheshire and Northamptonshire, as well as the Civil Nuclear Constabulary for the provision of Multi-Force Shared Services (MFSS). The lead partner (Cheshire) holds contracts with Capgemini and Oracle for the provision of Human Resources systems.

Recruitment and Human Resources activities are undertaken on behalf of the OPCC by MFSS and Nottinghamshire Police. OPCC and Nottinghamshire Police personal or special categories of personal data are not accessible to other MFSS partners. The OPCC and Nottinghamshire Police are joint data controllers of your data, unless otherwise stated.

The OPCC administers the recruitment of volunteers (e.g. for the Independent Custody Visitor, Animal Welfare and Mystery Shopper Schemes). Nottinghamshire Police undertake vetting of volunteers on behalf of the OPCC. The data we hold and process relating to volunteers is italicized below.

What personal information do we hold about you?

Under Article 6 (1) (b) of the GDPR, ‘Processing is necessary for the performance of a contract with the data subject or to take steps to enter into a contract’, we will process personal data such as:

- *your name, title, aliases, address, previous addresses, email address, phone number(s), gender, age, date of birth, marital status, nationality, education and work history, qualifications, licences/certificates, hobbies, family composition, dependents, languages and proficiency, employment status, start date / leaving date, application form / CV and covering letter;*

- non-financial identifiers (such as *passport details*, right to work documentation, *immigration status*, *driving licence details*, vehicle registration numbers, taxpayer identification numbers, staff identification numbers, tax reference codes and *national insurance numbers*) to verify your identity, pay travel expenses and for tax purposes;
- financial information (such as *bank account details*, payment/transaction identifiers, policy numbers, claim numbers, pay and pay records, tax code, tax and benefits contributions, *expenses claimed*) to pay salaries and expenses, and for tax and pension purposes.
- Information gathered in the course of your employment / volunteering (such as: *next of kin and emergency contact information*, location of employment or workplace, performance management information, disciplinary and grievance proceedings, personal biographies, CCTV footage and other information obtained through electronic means such as smartcard or *swipecard records*, *information about your use of our information and communications systems*, *ICV visit reports*, *animal welfare reports*, logs of visitors, and logs of accidents, injuries and insurance claims).

Under Article 9 (2) (b) of GDPR: 'Processing is necessary for the purposes of carrying out obligations and exercising specific rights of the controller or of the data subject in the field of employment law' (e.g. vetting), Nottinghamshire Police will also process sensitive or other special categories of personal data on our behalf, such as *criminal convictions*, *racial or ethnic origin*, *mental and physical health*, *political beliefs*, trade union affiliation, genetic data, biometric data, *data concerning intimate relationships and sexual orientation*.

What do we use your personal data for?

We use your personal data to perform our contract with you or enter into a contract with you and to enable us to comply with legal obligations. To allow us to:

- *process job / volunteer applications;*
- *make a decision about your recruitment or appointment, including sharing your data with the Disclosure and Barring Service (DBS) for clearance and advanced vetting;*
- liaise with drug testing providers;
- *contact third parties (such as current or former employers) to obtain references;*
- liaise with employment agencies (in the case of temporary or casual workers);
- *monitor compliance with equality legislation;*
- determine the terms on which you work for us;
- check that you are legally entitled to work in the UK;
- pay you and, if you are an employee, deduct tax and National Insurance contributions, including liaison with HMRC;
- provide any contractual benefits to you;
- liaise with your pension provider;
- *administer the contract / agreement we have entered into with you;*
- *for management and planning, including accounting and auditing;*
- conduct performance reviews, manage performance and determine performance requirements;
- make decisions about salary reviews and remuneration;
- *assess qualifications for a particular job or task, including decisions about promotions;*
- *conduct grievance or disciplinary proceedings;*
- *make decisions about your continued employment / involvement as a volunteer;*
- *make arrangements for the termination of our working relationship;*
- *identify education, training and development requirements;*
- *deal with legal disputes involving you, including accidents at work;*
- ascertain your fitness to work;
- manage sickness absence;
- *comply with health and safety obligations;*

- *prevent fraud;*
- *enable your access to our IT systems and software*
- *monitor your use of our information and communication systems and compliance with our IT policies;*
- *ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution;*
- *conduct data analytics studies to review and better understand employee retention and attrition rates;*
- *undertake activity consistent with our statutory functions and powers including any delegated functions;*
- *maintain our own accounts and records;*
- *seek your views or comments;*
- *administer a register of gifts, hospitality and personal interests; and*
- *provide references.*

Enquiries and Complaints

When you contact the OPCC with an enquiry which is solely an operational Policing matter, we will provide you with the contact details for Nottinghamshire Police and ask you to contact them directly. Similarly, if you contact us regarding matters which are the responsibility of your local authority (such as parking, CCTV or road signs) we will ask you to contact them directly.

We will record your contact (name, date, contact details and brief details of the request) in our correspondence database on the basis of Article 6 (1) (e) 'Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller' of the GDPR.

When you contact the OPCC with an enquiry for the Commissioner or the OPCC, but which includes aspects of operational policing, we will need to contact Nottinghamshire Police to ask for more information in order to respond. Where possible, this will be anonymous. If we need to share your name, contact details and a brief summary of the enquiry with Nottinghamshire Police, we will do this on the basis of Article 6 (1) (e) – as above. We will record your contact in our correspondence database.

When you contact the OPCC to make a complaint about a Police Officer or member of Police staff, we will provide you with the contact details for the Professional Standards Department at Nottinghamshire Police and ask you to contact them directly. We will record your contact in our correspondence database on the basis of Article 6 (1) (e) – as above.

When you contact the OPCC to make a complaint about the Chief Constable, the Commissioner or a member of the OPCC's staff, we will record and process your data to address the complaint, in accordance with Article 6 (1) (c) 'Processing is necessary for compliance with a legal obligation' of the GDPR.

Commissioning and Procurement

What personal information do we hold about you?

Most, if not all, of the information we hold in relation to commissioning and procurement is not personal, as it relates to organisations rather than private individuals. Any personal data (such as name, home email addresses, home addresses, home phone/mobile number) we process would be undertaken under Article 6 (1) (b) 'Processing is necessary for the performance of a contract with the data subject or to take steps to enter into a contract' of the GDPR.

We do not hold or process any personal data relating to staff or service users of commissioned services. We receive anonymised and aggregated data for the purposes of performance monitoring and evaluation.

What do we use organisational / personal data for?

We use your data to:

- process applications / bids for funding;
- contact you about anything relating to your grant / contract or the areas of interest set out in your application form;
- co-commission services;
- conduct due diligence;
- prevent and detect fraud and corruption in the use of public funds;
- meet legal or statutory obligations;
- meet transparency obligations;
- monitor and evaluate performance;
- plan the provision of services; and
- pay partners, beneficiaries and contractors.

Surveys and Focus Groups

What personal information do we hold about you?

When participating in a survey or focus group, you will be asked for your specific, informed consent.

What do we use your personal data for?

We use the information you provide to:

- seek your views, opinions or comments ;
- help us to build up a picture of how policing and other services are performing; and
- understand your needs to plan and improve services.

Newsletters and Events

The OPCC has commissioned a commercial provider (Better Times Ltd) to maintain a database of stakeholder contacts. Stakeholders' contact details are publicly available so that they can be contacted in relation to their professional / public role (for example, Councillors, MPs, officers working in statutory or third sector organisations). Better Times will contact you on behalf of the OPCC to send you newsletters; alert you to campaigns, projects / initiatives and events which are relevant to your role; and to notify you of changes to our news, facilities, services and staff. The OPCC will from time to time contact you directly regarding meetings or events which are relevant to your role.

Members of the public wishing to be kept informed will be asked for their specific, informed consent.

Better Times has an obligation to put in place appropriate security measures and will be responsible to you directly for the manner in which they process and protect your personal data.

Your rights and your personal data

For your security, you will be asked to provide proof of your identity before we can process your request to exercise the rights set out below.

Subject to the lawful basis used for processing your personal data, you have the following rights with respect to your personal data:

1) *The right to access personal data we hold on you ('Subject Access Request')*

At any point you can contact us to request the personal data we hold on you, as well as why we have that personal data, who has access to the personal data and where we obtained the personal data from. Once we have received your request we will respond within one month.

There are no fees or charges for the first request, but additional requests for the same personal data or requests which are manifestly unfounded or excessive may be subject to an administrative fee.

2) *The right to correct and update the personal data we hold on you*

If the data we hold on you is out of date, incomplete or incorrect, you can inform us and your data will be updated.

3) *The right to have your personal data erased*

If you feel that we should no longer be using your personal data or that we are unlawfully using your personal data, you can request that we erase the personal data we hold.

When we receive your request, we will confirm whether the personal data has been deleted or the reason why it cannot be deleted (for example because we need it for to comply with a legal obligation).

4) *The right to object to processing of your personal data or to restrict it to certain purposes only*

You have the right to request that we stop processing your personal data or ask us to restrict processing. Upon receiving the request we will contact you and let you know if we are able to comply or if we have a legal obligation to continue to process your data.

5) *The right to data portability*

You have the right to request that we transfer some of your data to another controller. Where it is feasible to do so, we will comply with your request within one month of receiving it.

6) *The right to withdraw your consent to the processing at any time for any processing of data to which consent was obtained*

You can withdraw your consent easily by telephone, email, or by post (see Contact Details below).

7) *The right to lodge a complaint with the Information Commissioner's Office.*

You can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

Your responsibilities

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes.

Further processing

If we wish to use your personal data for a new purpose, not covered by this Privacy Notice, then we will provide you with a new notice explaining this new use. This will be provided prior to commencing the processing and will set out the relevant purposes and processing conditions. Where appropriate, we will seek your prior consent to the new processing.

Changes to this notice

We keep this Privacy Notice under regular review and we will place any updates on the Commissioner's website: <https://www.nottinghamshire.pcc.police.uk/Home.aspx>

Contact Details

Please contact us if you have any questions about this Privacy Notice or the personal data we hold about you, if you wish to complain or to exercise your rights. We can be contacted at:

Nottinghamshire Office of the Police and Crime Commissioner
Arnot Hill House
Arnot Hill Park
Arnold
Nottingham
NG5 6LU

Telephone: 0115 8445998

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