

## PRIVACY POLICY

<b>Owner</b>	Chief Executive
<b>Author</b>	Carolyn Graham
<b>Date Originally Approved</b>	07.08.2015
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<b>Applicable to</b>	Police and Crime Commissioner and all Officers of the Office and Police and Crime Commissioner

## **Privacy Policy**

It is important that the Merseyside Police and Crime Commissioner (PCC) and her office (OPCC) can keep in touch with members of the public about her work, reply to correspondence and policy enquires on their behalf, provide information and ask for views on local and national issues.

The PCC is committed to ensuring the privacy and security of your personal data. This Privacy Policy sets out the personal data that we might collect about you as a user of our services, including how and why we process your personal data, who we might share it with, and your rights and choices when it comes to your personal data.

In this Privacy Policy, "personal data" means information which could directly identify you (for example, your name or email address) and information which could indirectly identify you, meaning that it could identify you when combined with other information which we hold about you (for example, your gender or date of birth). "Process" or "processing" means just about any conceivable use of personal data, including recording, storing, viewing or disclosing personal data.

This policy explains how personal data is collected and used, the legal basis for doing so and provides information about your rights in respect of your personal data for which the PCC is the data controller.

Please see below for more information  
on,

- **Data Collection and Use**
- **What personal information will we collect if you contact us?**
- **Sensitive personal information**
- **Sharing Information**
- **Who the OPCC might share your information with**
- **How the law protects you**
- **Retention and disposal of personal data**
- **IP Addresses, Cookies and links to other websites**
- **Your rights**

## **Data collection and use**

The OPCC will only collect and use personal information for the specific purpose for which it has been obtained, and may include:

- To progress correspondence and complaints;
- To keep members of the public, volunteers and community groups updated on the latest news, campaigns, meeting dates, OPCC activities and ways to get involved;
- To inform/update constituents about local and national issues, consultations and funding opportunities which may affect them;
- To prepare the PCC for meetings;
- To link survivors and victims of crimes with the appropriate services;
- To process job applications/enquiries and work experience placements (all members of the OPCC are subject to Merseyside Police vetting process);
- Your contact details to reply to your Freedom of Information requests and Subject Access Requests;
- To correspond with entrants of grant bidding or commissioning processes for the provision of services;
- To process voluntarily completed surveys, to provide feedback on consultations or to respond to other research activity.

## **What personal information will we collect if you contact us?**

- Names, titles, and aliases, photographs;
- Contact details such as telephone numbers, addresses, and email addresses; Where they are relevant to your correspondence or complaint, we may ask for and process other information such as gender, age, marital status, nationality, education/work experience, academic or professional qualifications, hobbies, family composition and dependants. Only those categories of personal data which are necessary for purpose for which we have your information will be obtained and retained;
- Crime or incident reference numbers;
- Any consents which you have given in relation to the processing of your information;
- When you enter into a grant bidding or commissioning process.

## **Sensitive personal information**

The law and other regulations treat some types of personal information as 'special categories'. This includes, but is not limited to, information about racial or ethnic origin, sexual orientation and religious beliefs.

They require higher levels of protection and the OPCC may need to have further justification for processing them.

We may process special categories of information in the following circumstances:

- ✓ Where we need to carry out our legal obligations;
- ✓ Where it is needed in the public interest.
- ✓ With your consent;

In limited circumstances, we may approach you for consent to allow us to process certain sensitive personal information. If we do so, we will provide you with full details of the personal data that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You have a right to subsequently withdraw your consent at any time.

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

## **Sharing Information**

The PCC will undertake correspondence and policy enquiries using personal information provided by or on behalf of a member of the public. On occasion it may be necessary for the PCC to share your information with third party organisations to exercise her public duty. The PCC will only do this where it is necessary and reasonable to do so, and will share only the minimum amount of personal information necessary in order to advocate on your behalf. The data processing is for performing tasks in the public interest or in the exercise of official authority.

If you don't want information that identifies you to be shared with the organisation you want to complain about, we'll try to respect that. However, it is not always possible to progress a complaint on an anonymous basis so we'll contact you to discuss this.

## **Who the PCC might share your information with**

When you write to the PCC, it may be necessary to share the details you provide with Merseyside Police, government departments, local authorities and other public bodies on your behalf. The PCC will only share as much information as is necessary to progress your enquiry and will have an identified lawful basis for doing so (which may or may not be your consent).

Other than in the circumstances above, the PCC will not share personal information with other organisations without your explicit consent.

In order to communicate with you about her work as the PCC for Merseyside, it may be necessary to transfer personal information to countries or jurisdictions outside the EU. In each case, appropriate steps will be taken to ensure that the data which processors used will fully comply with the General Data Protection Regulations.

## **How the law protects you**

The OPCC is committed to protecting your personal information in all that it does and has put in place all reasonable technical and procedural controls required to protect your personal information for the whole of its life, in whatever format the information is held. All PCC staff are subject to a duty of confidentiality.

Your privacy is also protected by law, which says that we can use your personal information only if we have a proper reason to do so. This includes sharing it outside of the OPCC. The reasons why the OPCC may process your personal information are:

- When it is our legal duty
- To fulfil a contract we have with you or a third party (usually a data processor contracted with Merseyside PCC)
- To protect your life or for safeguarding purposes
- To exercise official authority or carry out a specific task in the public interest
- When you consent to it

Below is a list of the ways the OPCC may use your personal information, and which of the reasons we rely on to do so.

**What we use your personal information for:**

- To manage our relationship with you
- To process your correspondence or enquiry;
- To build a picture of how policing and other services are performing;
- To communicate with you about our services and the work of the PCC;
- To obtain your feedback on the development of new, or enhanced services;
- To conduct analysis and research activities.
  
- To process your complaint or complaint review against:
  - the Chief Constable of Merseyside Police;
  - the PCC or OPCC staff.
  
- To consult with you in developing the Police and Crime Plan;
- To process Freedom of Information requests and Subject Access Requests;
- To address safeguarding concerns;
- To address concerns in relation to your immediate safety or welfare.

**Our reasons and conditions for processing**

Exercising official authority/carrying out specific tasks in public interest. *See DPA 2018 Sch1 Pt2 Sections 23 & 24 (Elected Representatives)*

*See DPA 2018 Pt2 Ch2 Section 10*

Our legal duties.

To protect life.

## **Retention and disposal of personal data**

Your personal information will be held for as long as it is necessary to fulfil the purposes described in this policy. In the event that you contact the OPCC again for further assistance, information relating to diary entries/meetings, correspondence and policy enquiries will be retained for a minimum of two years, and in some cases for up to six years. Information that is considered to be repetitive may be deleted in order to hold minimum personal data.

If you have consented to receive information about the PCC's work, your information will only be held for as long as the PCC is in post, or you ask not to be contacted further.

The PCC will regularly review the personal information held to ensure that its use is necessary and proportionate.

The PCC's Data Retention Policy can be found below.



201718 Records  
management policy.

## **IP Addresses and Cookies**

The PCC's website does not automatically capture or store personal information.

An information dialogue is provided at the top of the website when you first visit to prompt you that cookies are enabled on this site. They cannot be switched off just for this site but as you continue into the website and use certain features cookies may be set in the following areas:

For Google Analytics

We use Google Analytics to help improve the support, content and the general user experience.

Font Size Selector

If you use the Font Size selector on the accessibility page this will also set a cookie.

A cookie is a tiny text file that is stored on your computer. Cookies may be used in order to tailor your experience on the PCC's website according to the preferences you have specified. Cookies on the PCC's website do not contain personally identifiable information, other than your IP address, which itself is only very rarely enough to identify you as an individual.

## **Links to other websites**

If the website contains links to other websites, the PCC is not responsible for the content or privacy practices of these websites.

### **Your rights**

You have a number of rights in relation to your personal information and the opportunity to choose how it is used. You can:

- Obtain copies of the personal information the PCC holds about you (known as a “subject access request”)
- Request that any inaccurate personal information held about you is updated or corrected
- Ask that we erase or restrict the way in which your information is used
- Request that the personal information you have given your consent for the PCC to use, and that is still held, is provided in an electronic format so it can be transferred to another data controller (also known as “data portability”)

You may also opt out of receiving further communications from the PCC in any medium at any time. All requests to unsubscribe are dealt with promptly.

If you wish to exercise your rights in respect of your personal data or have any concerns about how your data is used, please contact my Data Protection Officer via the contact details below.

### **Data Controller**

Jane Kennedy, Merseyside Police and Crime Commissioner  
Mather Avenue Training Centre,  
Mather Avenue,  
Allerton,  
Liverpool,  
L18 9TG.

Email: [info@merseysidepcc.info](mailto:info@merseysidepcc.info)

Telephone: 0151 777 5155

### **Data Protection Officer**

Graham Thomas  
PO Box 59  
Liverpool  
L69 1JD

Email: [graham.e.thomas@merseyside.pnn.police.uk](mailto:graham.e.thomas@merseyside.pnn.police.uk) or  
[data.protection.officer@merseyside.pnn.police.uk](mailto:data.protection.officer@merseyside.pnn.police.uk)

Telephone: 0151 777 8412

Advice – If you intend to communicate by email with content that contains personal data or sensitive Information you are advised to satisfy yourself that the security of your email system is as secure in transit as you would require it to be before sending it. For sensitive content, transfer by special delivery, courier service or by hand is suggested for your consideration.

We may also decline to respond using email if the content is of such sensitivity that the security around conventional email transmission is considered insufficient for the content to remain acceptably secure.

Alternatively you have right to raise any issues or concerns directly with the Information Commissioner's Office, at:

Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

[www.ico.org.uk](http://www.ico.org.uk).

Telephone helpline – 0303 123 1113

### Equalities

The PCC office treats all members of the community equitably and will not show bias to any particular individual or group. The OPCC endeavours to make its services accessible to everyone. This policy has been equality impact assessed.

### Data Protection

In May 2018, new data protection legislation came into force which aims to protect people's privacy further. This policy has been revised since the introduction of the new legislation and has been assessed to ensure compliance with GDPR.