

Who is the Data Controller for the information I provide?

Watford Borough Council is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice. It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

Why we are collecting your data

The Department provides legal advice to other departments of the council and councillors, it also manages the council committee timetable and takes details of those who wish to participate in committee meetings either by registering to speak, submitting petitions or asking questions. It also receives information from councillors about organisations who they wish to provide financial assistance to via their locality funds and the department also manages the chairman’s appointments. It also incorporates the Elections Office please see the separate privacy notice regarding Electoral Registration and Elections.

We will also use your personal information in order to meet our obligations under various UK laws in order to:-

- To monitor Regulation of Investigatory Powers (RIPA) authorisations.
- To manage legal cases
- To provide legal advice to services
- To prepare any materials for litigation

What is the legal process for collecting this data?

- We do this either because we are performing a task carried out in the public interest. We consider that it is in the public interest for individuals to be able to participate in the democratic process. The council also has a number of regulatory and statutory functions that it is required to perform and the department provides advice to other departments who undertake those functions directly.
- As an employer the council also performs a contract with its employees and may offer goods and services to the public under a contract which the department will need to advise on.
- Our legal department will lawfully process your data on the following grounds:
 1. The Regulation of Investigatory Powers Act 2000,
 2. The following areas of law / common law:
 3. Employment
 4. Litigation
 5. Commercial
 6. Property
 7. Planning
 8. Environmental
 9. Local Government
 10. Judicial Reviews
 11. Data Protection Legislation
 12. This list is not exhaustive

The processing of your information is necessary for compliance with the Councils legal obligations, to facilitate a statutory obligation, and provide access to Council services.

Do I have to provide this information and what will happen if I don't?

If you do not provide information to us we may not be able to provide you with the assistance you are seeking, for example being able to speak at a committee or contacting the chairman.

What are the principles on which you protect my data?

We will comply with data protection legislation. This says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

Who will your information be shared with?

We will share information with other departments of the Council as necessary in order for us to provide either the required legal advice or answer your inquiry.

We will also share your information if necessary with external legal advisors including barristers and the courts if we are instructed to either commence or defend legal proceedings. We may share your information with councillors and the elected mayor.

We will also undertake to share information with the following where circumstances or law require:

- National Regulators e.g. Information Commissioner's Office, Investigatory Powers Commissioner, Local Government and Social Care Ombudsman.
- The Courts, judges, Crown Prosecution Service, Employment Tribunals
- Legal representatives of other parties
- Expert witnesses
- The Police and other crime enforcement agencies.
- Other public authorities e.g. schools, NHS, councils, government departments (HMRC, DWP, Immigration etc.). (Where necessary)
- Land Registry
- Debt collectors
- Union representatives (with consent).
- Local archives office
- Elected Members & MPs (as your representative)
- Contractors providing IT or advice services

How long will you keep this information for and why?

We will keep your information in accordance with the Council's retention policy

How will my information be stored?

The information will be stored on various computer systems depending on the reason why we have obtained it.

Is my data secured?

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees and third parties who have a business need to process it. Third parties will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

Will this information be used to take automated decisions about me? Yes/No

No

No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

Will my data be transferred abroad and why? Yes/No

No

What rights do I have when it comes to my data?

Your duty is to inform us of changes. It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes.

Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Request the restriction** of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal information, or request that we transfer a copy of your personal information to another party, please contact the Data Protection Officer in writing.

DATA PROTECTION OFFICER

The Council's Data Protection Officer (DPO) is responsible for overseeing compliance with this privacy notice. If you have any questions or wish to make complaint about how we handle your personal information, please contact the Data Protection Officer on the details below:

Data Protection Officer (DPO)
Legal Services, Resources
Hertfordshire County Council
County Hall, Pegs Lane, Hertford, SG13 8DE
Postal Point: CHO150

Email: watfordDP@hertfordshire.gov.uk
Tel: 01992 588099

If you are not satisfied you can complain to the Information Commissioner's Office at:-

The Information Commissioner's Office,
Wycliffe House, Water Lane,
Wilmslow,
Cheshire,
SK9 5AF,
Tel: 01625 545745

Changes to our privacy policy

Any changes we may make to our Privacy Notice in the future will be posted on this page.
This notice was updated in August 2021