

# Information Management Privacy Notice



Date and version

May 2018, v1

## What this privacy notice is for

Our core data protection obligations and commitments are set out in the council's primary privacy notice at [www.oldham.gov.uk/dataprotection](http://www.oldham.gov.uk/dataprotection)

This notice provides additional privacy information for:

- Individuals whose information is processed by or on behalf of Oldham Council or partners organisations including Unity Partnership, MioCare and schools
- Individuals requesting information from the council under Freedom of Information or Environmental Information Regulations
- Individuals exercising their individual rights as defined in data protection legislation

## Updating our privacy notices

We may update or revise our privacy notices at any time so please refer to the version published on our website for the most up to date details.

## What we use your information for

We collect or obtain your personal information for the following purposes:

- Facilitation of Freedom of Information(FOI) and Environmental Information Regulations(EIR) request and appeal purposes
- Facilitation of data protection enquiries and requests
- Handling and investigation of personal data breaches, complaints and FOI/EIR appeals internally and with the Information Commissioners Office and Information Tribunals
- Facilitation of records management best practice
- Provision of advice to council, partner organisations (including schools) and data processors
- Performance management and to assure compliance

## What categories of personal information we use

Personal information can be anything that identifies and relates to a living person. This can include information that when linked with other information, allows a person to be uniquely identified. For example, this could be your name and contact details.

The law treats some types of personal information as 'special' because the information requires more protection due to its sensitivity. This information consists of:

- Racial or ethnic origin
- Sexuality and sexual life
- Religious or philosophical beliefs
- Trade union membership
- Political opinions
- Genetic and bio-metric data
- Physical or mental health
- Criminal convictions and offences

In order to carry out these purposes we collect and obtain the following personal information.

| Category of personal data                        | Special/<br>Sensitive |
|--|-----------------------|
| Personal details                                 |                       |
| Family details                                   |                       |
| Lifestyle and social circumstances               |                       |
| Financial details                                |                       |
| Employment and education details                 |                       |
| Housing needs                                    |                       |
| Visual images, personal appearance and behaviour |                       |
| Licenses and permits held                        |                       |
| Student and pupil records                        |                       |
| Business activities                              |                       |
| Case file information                            |                       |
| Racial or ethnic origin                          | Yes                   |
| Sexuality and sexual life                        | Yes                   |
| Trade union membership                           | Yes                   |
| Political opinions                               | Yes                   |
| Physical or mental health                        | Yes                   |
| Criminal convictions and offences                | Yes                   |

## Legal basis for processing

The legal basis for processing and or sharing your personal information dependent on the context may include but is not limited to:

- Consent
- Performance of a public task in the public interest and substantial public interest for special category data, that is set out in law, for example but not limited to:
  - Freedom of Information Act 2000
  - Environmental Information Regulations 2004
  - Data Protection Act 2018
  - General Data Protection Regulations
  - Crime and Disorder Act 1998
- Where the law permits the processing or sharing of personal information for crime, prevention and detection, and safeguarding of individuals
- Legitimate interest in order to provide measures to assure compliance

If you fail to provide certain information when requested, we may not be able to fulfil your enquiry, for example when the requirement to collate proof of identity to support exercising your individual rights, or we may be prevented from complying with our legal obligations.

## Information sharing/recipients

We may share personal information where necessary about you with the following organisations/types of organisations:

- Data subjects
- Family, associates or representatives of the person whose personal data we are processing
- students and pupils including their relatives, guardians, carers or representatives

- Current past and prospective employees
- Healthcare, social and welfare organisations
- Debt collection and tracing agencies
- Service providers
- Local and central government
- Regulatory authorities
- Courts and tribunals
- Housing associations and landlords
- Data processors
- Police forces, non-home office police forces
- Partner agencies, approved organisations and individuals working with the police,
- Law enforcement and prosecuting authorities
- Legal representatives, defence solicitors

As well as information collected directly from you, we also obtain or receive information from:

- Family, associates or representatives of the person whose personal data we are processing
- students and pupils including their relatives, guardians, carers or representatives
- Current past and prospective employees
- Healthcare, social and welfare organisations
- Debt collection and tracing agencies
- Service providers
- Local and central government
- Regulatory authorities
- Courts and tribunals
- Housing associations and landlords
- Data processors
- Police forces, non-home office police forces
- Partner agencies, approved organisations and individuals working with the police,
- Law enforcement and prosecuting authorities
- Legal representatives, defence solicitors

## **Data Transfers beyond European Economic Area**

We do not transfer any of your personal information outside the European Economic Area ('EEA').

## **Automated Decisions**

All the decisions we make about you involve human intervention.

## **How long we keep your data**

We will only keep your personal information for as long as the law specifies or where the law does not specify this, for a minimum of three years and no longer than required for business operations and the purposes outlined above. .

## **Where can I get advice**

More information on how to seek advice in order to exercise your rights, raise a concern or complain about the handling of your personal information by the council can be found in the council's privacy notice which can be found at [www.oldham.gov.uk/dataprotection](http://www.oldham.gov.uk/dataprotection)