

## Privacy Notice

Date approved	01/12/2023
Version number	3.0
Approved by	D Horsman
Date of last review	01/12/2023
Date of next review	01/12/2025
Author / reviewer	D Horsman S Humphreys
Responsible department for distribution	Policy & Public Engagement
Responsible department for audit	Policy & Public Engagement

Version Number	Date	Reason for review	Comments
1.0	01/03/2021	scheduled	complete
2.0	01/04/2022	scheduled	complete
3.0	01/12/2023	scheduled	complete

# POLICE FIRE AND CRIME COMMISSIONER'S OFFICE

## PRIVACY NOTICE

Essex Police, Essex County Fire and Rescue Service and the Police, Fire and Crime Commissioner for Essex are committed to ensuring the privacy and security of your personal data. The following Privacy Policy sets out the personal data that we collect about you as a partner or user of our services; including how and why we process your personal data, who we share it with, and your rights and choices when it comes to your personal data.

### Your personal data – what is it?

“Personal data” or “Personally Identifiable Information” (PII) is any information about a living individual which allows them to be identified from that data (for example a name, photographs, videos, email address, or address). Identification can be through the data itself or by combining it with other information that would 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 “UK GDPR”) and other legislation relating to personal data and rights such as the Data Protection Act 2018.

More information about data protection and your rights can be found on the Information Commissioner’s website: <https://ico.org.uk/for-the-public/>

### Who are we?

This Privacy Notice sets out how the Essex Police, Fire and Crime Commissioner (the Commissioner) will treat any personal data.

If it is necessary we may share your personal data with third parties. These third parties have 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. They may include:

- Local authorities
- Home Office
- Essex Police
- other Police Forces
- Essex Police, Fire and Crime Panel
- Health service and other public sector bodies across Essex
- Community groups
- Charities
- Other not for profit entities
- Contractors
- Employment agencies

We may need to share your personal data we hold with them so that they can carry out their responsibilities. If we and the other data controllers listed above are processing your data jointly for the same purposes, then the Commissioner and the other data controllers may be “joint data controllers” which mean we are all collectively accountable to you for your data. Where each of the parties listed above is processing your data for their own independent purposes then each of us will be independently responsible to you and if you have any questions, wish to exercise any of your rights (see below) or wish to raise a complaint, you should do so directly to the relevant data controller.

A description of what personal data the Commissioner processes and for what purposes is set out in this Privacy Notice.

**The Commissioner will process some or all of the following personal data where necessary to perform tasks:**

- Names, titles, and aliases, photographs;
- Contact details such as telephone numbers, addresses, and email addresses;
- Where they are relevant to the services provided by the Commissioner, or where you provide them to us, we may process information such as gender, age, marital status, nationality, education/work history, academic/professional qualifications, hobbies, family composition, and dependants;
- The personal data we process may include sensitive or other special categories of personal data such as criminal convictions, racial or ethnic origin, mental and physical health, details of injuries, medication/treatment received, political beliefs, trade union affiliation, genetic data, biometric data, data concerning and sexual life or orientation.

**How we use sensitive personal data**

- We may process sensitive personal data including, as appropriate:
  - your racial or ethnic origin or religious or similar information in order to monitor compliance with equal opportunities legislation;
  - in order to comply with legal requirements and obligations to third parties.
- These types of data are fully described in the UK GDPR as “Special categories of data” and require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal data.
- We may process special categories of personal data in the following circumstances:
  - In limited circumstances, with your explicit written consent.
  - Where we need to carry out our legal obligations.
  - Where it is needed in the public interest.
- Less commonly, we may process this type of personal data where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.

## **Do we need your consent to process your sensitive personal data?**

In limited circumstances, we may approach you for your written consent to allow us to process certain sensitive personal data. If we do so, we will provide you with 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.

In such circumstances, where your consent has been given but you subsequently wish to withdraw your consent, you may do this by contacting us directly. Full details are available at the end of this document.

## **The Commissioner will comply with data protection law. This says that the personal data we hold about you must be:**

- 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.
- Kept and destroyed securely including ensuring that appropriate technical and security measures are in place to protect your personal data to protect personal data from loss, misuse, unauthorised access and disclosure.

## **Letters or emails to the PFCC with requests, complaints or suggestions**

When you contact us, we:

- will retain and store your details – including copies of everything that you send to us;
- may also share your personal data and any of the information you have provided with other organisations in order to deal with your contact properly;
- will contact you to discuss / action the matters you have raised with us.

## **We use your personal data for some or all of the following purposes:**

- To deliver public services including to understand your needs to provide the services that you request and to understand what we can do for you and inform you of other relevant services;
- To confirm your identity to provide some services;
- To contact you by post, email, telephone or social media (e.g., Facebook, WhatsApp, Instagram);
- To help us to build up a picture of how policing and other services are performing;
- To prevent and detect fraud and corruption in the use of public funds and where necessary for the law enforcement functions;
- To enable us to meet all legal and statutory obligations and powers including any delegated functions;
- To carry out comprehensive safeguarding procedures (including due diligence and complaints handling) in accordance with best safeguarding practice from time to time with the aim of ensuring that all children and adults-at-risk are provided with safe environments and generally as necessary to protect individuals from harm or injury;

- To promote the interests of the Commissioner;
- To maintain our own accounts and records;
- To seek your views, opinions or comments;
- To notify you of changes to our news, facilities, services, events and staff, Board members and other role holders;
- To send you communications which you have requested and that may be of interest to you. These may include information about campaigns, appeals, other new projects or initiatives;
- To process relevant financial transactions including grants and payments for goods and services supplied by or to the Commissioner, or on behalf of the Commissioner;
- To allow the statistical analysis of data so we can plan the provision of services and also so that we can monitor performance of police and partner organisations.

Through working with Essex Police, our processing may also include the use of CCTV systems for the prevention and prosecution of crime.

### **What is the legal basis for processing your personal data?**

The Commissioner is a public authority and has certain powers and obligations. Most of your personal data is processed for compliance with a legal obligation which includes the discharge of the Commissioner's public functions and powers. Sometimes when exercising these powers or duties it is necessary to process personal data of residents or people. We will always take into account your interests and rights. This Privacy Notice sets out your rights and the Commissioner's obligations to you.

We may process personal data if it is necessary for the performance of a contract with you, or to take steps to enter into a contract. An example of this would be processing your data in connection with the use of a grant provided by the Commissioner, or in connection with a query we are dealing with on your behalf.

Sometimes the use of your personal data requires your consent and where this is the case we will obtain your consent before we use your data.

### **Sharing your personal data**

This section provides information about the third parties with whom we may share your personal data. These third parties have an obligation to put in place appropriate UK GDPR compliance and security measures and will be responsible to you directly for the manner in which they process and protect your personal data. Where appropriate we will ensure this is the case through a binding contract. It is likely that we will need to share your data with some or all of the following (but only where necessary):

- The data controllers listed above under the heading "Other data controllers the Commissioner works with";
- Our agents, suppliers and contractors. For example, we may ask a commercial provider to publish or distribute newsletters on our behalf, or to maintain our database software;
- On occasion, local authorities or not for profit bodies with which we are carrying out joint ventures e.g. in relation to facilities or events for the community.

## **How long do we keep your personal data?**

We will keep some records permanently if we are legally required to do so. We may keep some other records for an extended period of time. For example, it is currently best practice to keep financial records for a minimum period of 8 years to support audits or provide tax information. We may have legal obligations to retain some data in connection with our statutory obligations as a public authority. The Commissioner is permitted to retain data in order to defend or pursue claims. In some cases the law imposes a time limit for such claims (for example 3 years for personal injury claims or 6 years for contract claims). We will retain some personal data for this purpose as long as we believe it is necessary to be able to defend or pursue a claim. In general, we will endeavour to keep data only for as long as we need it. This means that we will delete it when it is no longer needed.

## **Attending our meetings or events, circulation and contact lists**

### **Our meetings and events**

Most of our meetings, summits and events are held in public, and may be webcast. We sometimes take photographs of meetings and events, and people who attend may appear in these photographs. In addition we normally take notes of meetings and events and these notes may include the names or other information about people who attend. This means that if you attend one of our meetings or events:

- You may appear on the webcast.
- You may appear in photographs of the event.
- Your name may be included in the notes/minutes.

### **What legal basis do we rely upon?**

Meetings and events take place to support the Commissioner in undertaking his public task. We will rely upon contractual obligation for people who are regular members of our boards, groups or committees. For other events we shall obtain consent from those present before commencing photography or including personal data in our notes or minutes.

We will always respect your privacy, and take the following steps:

- Before photography commences everybody present will be informed and if they prefer not to be photographed they will have the opportunity to withdraw

### **Contact and circulation lists**

If you attend one of our meetings or events we may ask you for the following information:

- Name;
- Contact email and telephone number;
- Your organisation and your position;
- Accessibility and dietary requirements.

We will use these to provide you with information about the meeting or event; to help us plan and also for health and safety planning in case of fire or other emergency. We will not share this information with any third party without your prior consent.

We may use a third party such as Eventbrite to help us organise events. In such cases, the third party is a data processor for your data, and will be responsible for your data. If we use a third party to help us in this way, you shall receive a separate privacy notice from them.

### **Circulation lists**

We hold a number of lists of people's contact details. We hold lists so that we can invite people to suitable events and meetings and also so that we can contact people with information and news. You will be asked for your consent for your name and other contact details to be included on our circulation list. You may withdraw this consent at any time and your details will then be removed from our list.

### **Application for funding, or recipient of our funding**

Applicants for funding will normally be required to provide us with personal data including:

- Name, address, email and other contact information;
- Details of the people and organisation making the application;
- Bank and other financial information;
- For some projects or applications, sensitive personal information (where this is relevant to the project).

### **We use your personal data for some or all of the following purposes:**

- To follow up with you after correspondence;
- To assess your application for funding;
- To monitor progress of projects that have been funded;
- To make payments to you in accordance with our agreement;
- To provide publicity, media releases and information on the Commissioner's website.
- To confirm your identity;
- To contact you by post, email, telephone or using social media (e.g., Facebook, Twitter, WhatsApp);
- To prevent and detect fraud and corruption in the use of public funds and where necessary for the law enforcement functions;
- To enable us to meet all legal and statutory obligations and powers including any delegated functions;
- To carry out comprehensive safeguarding procedures (including due diligence and complaints handling) in accordance with best safeguarding practice from time to time with the aim of ensuring that all children and adults-at-risk are provided with safe environments and generally as necessary to protect individuals from harm or injury;
- To promote the interests of the Commissioner;
- To maintain our own accounts and records;
- To seek your views, opinions or comments;

- To notify you of changes to our news, facilities, services, events and staff, Board members and other role holders;
- To send you communications which you have requested and that may be of interest to you. These may include information about other funding opportunities, campaigns, appeals, other new projects or initiatives.

### ***Additional ways in which we use your information***

We may also process your information through the use of 'data profiling' or 'automated decision making'.

Data Profiling means any form of automated processing of personal data to evaluate certain personal aspects relating to you.

Automated decision-making is the process of making a decision by automated means without any human involvement.

We may do this by collecting and analysing data on a large scale, using algorithms or machine learning. This helps us to predict behaviour and preferences. This then enables us to make informed decisions about the services we currently provide to you or may provide in the future.

Any use of these processes will be done only in a targeted and reasonable way where we can illustrate a clear benefit to you through the outcomes.

### **Your rights and your personal data**

You have the following rights with respect to your personal data:

When exercising any of the rights listed below, in order to process your request, we may need to verify your identity for your security. In such cases we will need you to respond with proof of your identity before you can exercise these rights.

- **The right to be informed** – You have the right to be informed about the collection and use of your personal data. You must be informed of the purpose for processing your personal data; retention periods for that data and who it will be shared with. This information must be provided at the time at which personal data is collected. This Privacy Notice is one of the key means through which the PFCC ensures this right is complied with.
- ***The right to access personal data we hold on you***
- 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.
  - ***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.
  - ***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).
  - ***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.
  - ***The right to data portability***
- You have the right to request that we transfer some of your data to another controller. We will comply with your request, where it is feasible to do so, within one month of receiving your request.
  - ***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).
  - ***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. You also have the right to pursue a complaint through the UK Courts of Law should you wish to do so.

## **Transfer of Data Abroad**

Any personal data transferred to countries or territories outside the European Economic Area ("EEA") will only be placed on systems complying with measures giving equivalent protection of personal rights either through international agreements or contracts approved by the European Union. [Our website is also accessible from overseas so on occasion some personal data (for example in a newsletter) may be accessed from overseas].

## **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 prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing.

## **Cookies**

We use cookies to compile aggregate data about site traffic and site interactions in order to offer better site experiences and tools in the future. We may also use trusted third-party services that track this information on our behalf.

You can choose to have your computer warn you each time a cookie is being sent, or you can choose to turn off all cookies. You do this through your internet browser settings. Since each browser is a little different, look at your browser's Help Menu to learn the correct way to modify your cookies.

If you turn cookies off, some of the features that make your site experience more efficient may not function properly. It may adversely affect your experience of this site, making it less efficient and it may not function properly. <http://www.allaboutcookies.org/>

- **Google**

We, along with third-party vendors such as Google, use first-party cookies (such as the Google Analytics cookies) and third-party cookies (such as the DoubleClick cookie) or other third-party identifiers together. We use them to compile data regarding user interactions only.

- **Opting out**

You can opt out by visiting the Network Advertising Initiative Opt Out page or by using the Google Analytics Opt Out Browser add on. <https://tools.google.com/dlpage/gaoptout>

It is also important to note that we do not allow third-party behavioural tracking.

## **Changes to this notice**

We keep this Privacy Notice under regular review and we will place any updates on the Commissioner's website: [www.essex.pfcc.police.gov.uk](http://www.essex.pfcc.police.gov.uk)

## **Contact Details**

Please contact us if you have any questions about this Privacy Notice or the personal data we hold about you or to exercise all relevant rights, queries or complaints at:

Police, Fire and Crime Commissioner for Essex,  
1st Floor, Kelvedon Park,  
London Road,  
Rivenhall,  
Witham,  
Essex  
CM8 3HB

Call us:

01245 291600

Our office hours are:

Mon-Fri: 8.30am to 4.30pm

Sat/Sun: Closed

Email us:

[pfcc@essex.police.uk](mailto:pfcc@essex.police.uk)