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Police and Crime
Commissioner
for Warwickshire

PRIVACY NOTICE

MAY 2018

**Office of the Police and Crime
Commissioner for Warwickshire**



Philip Secombe
Police and Crime
Commissioner
for Warwickshire

Policy/Procedure Title	Privacy Notice
Responsible Party	Chief Executive and Monitoring Officer

Security Classification	Public
Disclosable under Freedom of Information Act 2000	Yes

Policy Implementation Date	25 May 2018
Next Review Date Prior To	25 May 2020

Revision record

Date	Nature of revision
28 August 2018	Amendments to General Correspondence and Complaints section
14 February 2019	Addition of Business Watch email newsletter details to 'Other E-mail newsletters' section.
07 August 2019	Updated website section to reflect implementation of GDPR/PECR-compliant cookie solution.
11 March 2020	Addition of new section to cover data gathering for the Modern Slavery and Human Trafficking Business Pledge.
18 March 2020	Further revision to Modern Slavery and Human Trafficking Business Pledge to reflect revised implementation process.

1. INTRODUCTION

The Warwickshire Office of the Police and Crime Commissioner (OPCC) is the data controller for any personal data the organisation holds about you. The OPCC respects your privacy and is committed to protecting your personal data.

A description of the personal data the OPCC processes 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 is set out in this Privacy Notice.

2. DATA PROTECTION PRINCIPLES

The OPCC will comply with data protection law, which means that your personal data will be:

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

3. THE PERSONAL INFORMATION WE HOLD, HOW WE COLLECT IT AND THE PURPOSES FOR WHICH WE USE IT

Personal data, or personal information, means any information about an individual from which that person can be identified (for example, your name or email address) and information which could indirectly identify an individual, meaning that it could identify the individual when combined with other information which we hold about that person (for example, gender or date of birth). It does not include data where the identity has been removed (anonymous data).

Personal information is held in order to assist the OPCC in carrying out its role in support of the Police and Crime Commissioner's (PCC) core statutory functions as follows:

- Strategic planning.
- Holding the Chief Constable to account, including complaint handling.
- Partnership working, including local criminal justice partners.
- Appointment of OPCC statutory officers.
- Appointment, suspension and removal of Chief Constable.
- Information and engagement.
- Finance.

The OPCC collects different types of information from individuals depending upon the reason for their interaction with us and/or the reason why we have collected the data. We have grouped the main reasons why we collect data into the categories below. Each section which explains our reasons and method of collection in more detail.

- *Personal data obtained from general correspondence from members of the public and handling complaints against the Chief Constable, the PCC, the Deputy PCC (if appointed) and OPCC staff.*

- *Personal data obtained during the evaluation and award of PCC grants and/ or commissioned services.*
- *Personal data obtained from the police force and other third parties as a result of the OPCC's involvement in joint committees and forums to ensure that local priorities are lined up.*
- *Personal data obtained as a result of handling subject access requests or requests for information under Freedom of Information Act 2000.*
- *Personal data obtained when individual signs up to receive the OPCC's newsletter or other e-mail newsletters for which we receive data.*
- *Personal data obtained when individuals use our website or other websites we control.*
- *Personal data obtained when we take photographs or videos at events.*
- *Personal data obtained when we carry our public consultations.*
- *Personal data obtained when visiting the office.*
- *Recruitment of volunteers, OPCC staff and the Chief Constable of Warwickshire Police.*

Personal data obtained from general correspondence from members of the public and handling complaints against the Chief Constable, the PCC, the Deputy PCC (if appointed) and OPCC staff

a) What personal information do we hold?

If you contact us with a general query or a complaint against the Chief Constable, the PCC, the Deputy PCC (if appointed) or OPCC staff, you may provide the following information to us (either at the outset or during the course of our investigation of your complaint):

- **Identity data** – name, gender, age, marital status, nationality.
- **Contact details data** – address, email address, telephone number.
- **Family data** – information about your family composition and dependants.
- **Special category data** – racial or ethnic origin, mental and physical health, details of injuries or medication/treatment received, political beliefs, religious beliefs, trade union affiliation, genetic data and data concerning sexual life or orientation.

b) How do we collect your personal information?

We will collect information directly from you when you correspond with us by post, telephone, email, on social media or otherwise.

c) For what purposes do we use your personal information?

We will use your information to respond to your query or to investigate your complaint. We will also keep an internal record of your information for monitoring reasons.

d) What is the legal basis for our use of your personal information?

The OPCC is a public authority and has certain powers and obligations. The lawful basis on which we will process your personal data is in the exercise of our official authority and/or in performance of a task in the public interest. We rely on this legal basis generally when processing your personal information after receiving general correspondence and/or complaints against OPCC staff.

In relation to processing complaints against the Chief Constable, our specific legal duty can be found in the Police Reform & Social Responsibility Act 2011 and the Police Reform Act 2002.

In relation to processing complaints against the PCC and the DPCC, the Chief Executive is delegated by the Police and Crime Panel to undertake the initial handling of complaints made against the PCC and DPCC which relate to conduct and/or are serious complaints of a criminal nature. The specific legal duty can be found in the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012.

e) On what basis do we use special category data?

The OPCC may sometimes process data about you which is sensitive, known as special category data (as detailed above).

Special category data requires higher levels of protection and we have to have a further justification for collecting, storing and using this type of personal data.

We will only process this type of data during the course of our investigation of your query or complaint on the basis that either:

- you have provided your explicit written consent; or
- it is necessary for reasons of substantial public interest; or
- it is necessary for the establishment, exercise or defence of legal claims; or
- the information has been made public by you; or
- it is necessary to protect your vital interests; or
- it is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes.

We may need to approach you for written consent to allow processing of certain sensitive personal data. In these circumstances, you will be provided with full details of the personal data that is required and why it is needed, to allow you to carefully consider whether you wish to consent.

f) Who will we share your personal information with?

We will only share your personal data with third parties if it is necessary to resolve your query or complaint. We may share your personal data with the Police where we are legally required to do so. We may also share your personal data with the Police if there is a safeguarding concern; the Independent Office of Police Conduct (IOPC) if a complaint requires a mandatory referral or to seek appropriate advice; or to the Police and Crime Panel if a complaint is recorded against the PCC or a DPCC if in post.

g) How long will we keep your personal information?

If you have contacted us with a general query, we will keep your personal data for 3 years after the final response to an enquiry or comment.

If you have contacted us with a complaint, we will keep your data for 7 years from the resolution of your complaint (or in respect of complaints against the PCC, 7 years from the end of his/her appointment).

For more information about how long we hold personal data, see our retention schedule.

Grants and commissioned services

a) What personal information do we hold?

If you (or your organisation) apply for a grant or to enter into a contract with the OPCC, we may collect some personal data about the individuals who work or volunteer at the applicable organisation. Although most details relating to organisations do not constitute personal data, if your organisation is a partnership or you are a sole trader, it is likely that most of the information that you provide to us is personal data. The information we typically collect from applicants is:

- **Identity data** – name, job title.
- **Contact details data** – address, email address, telephone number.
- **Financial details** – bank account details.

b) How do we collect your personal information?

We collect the above information via submission of electronic documents sent to us from you via email.

c) For what purposes do we use your personal information?

We only use your information for the purpose of evaluating and awarding PCC grants and/or commissioned services. We will keep a record of this information internally for monitoring purposes and your organisation's name will be published on the website if successful.

d) What is the legal basis for our use of your personal information?

The OPCC is a public authority and has certain powers and obligations. In respect of awarding grants, we will process your personal data in the exercise of our official authority and/or in performance of a task in the public interest. Our public duty can be found in the Police Reform & Social Responsibility Act (section 9) which allows us to award crime and disorder reduction grants.

In respect of awarding contracts and commissioning services, our legal basis for processing your personal data will be on the basis that it is necessary for the performance of a contract or to take steps to enter into a contract.

e) Who will we share your personal information with?

We will not share your personal data with any third party (except that your organisation's name will appear on our website if you are successful).

f) How long will we keep your personal information?

For more information about how long we hold personal data, see our retention schedule.

Holding to account

a) What personal information do we hold?

We attend various meetings and information sharing forums with other public sector bodies as part of our general public duties to secure an efficient and effective police force, bring together community safety and criminal justice partners, and to make sure local priorities are joined up. Data is obtained from the Police Force and other third parties as a result of the OPCC's involvement in the joint committees and forums.

Examples of the types of forums and meetings that we attend are:

- *Briefings from the police force and police station visits attended by the PCC and various office staff.*
- *Meetings with the Chief Constable attended by the PCC and various office staff.*
- *Critical Incident Management Meetings attended by the Chief Executive.*
- *Quarterly Civil Litigation Meetings attended by the Chief Executive.*
- *Emerging Trends North and South Meeting attended by various office staff.*
- *Victim & Witness Forum chaired by a staff member.*

During the course of these meetings we may obtain personal information about victims and offenders and their family members. The data we hold may include:

- **Identity data** – name, gender, age, marital status, nationality.
- **Contact details data** – address.
- **Family data** – information about family composition and dependants.
- **Special category data** – racial or ethnic origin, mental and physical health, details of injuries or medication/treatment received, political beliefs, religious beliefs, trade union affiliation, genetic data and data concerning sexual life or orientation.
- **Criminal offence data** - details of criminal convictions, arrests and cautions.

b) How do we collect your personal information?

This information will generally be collected in documented minutes of meetings, briefing notes and telephone call records, either sent electronically to us or obtained in paper copy at such meetings.

c) For what purposes do we use your personal information?

The purpose of our attendance at such meetings (and subsequent collection of personal data) is generally to hold the Chief Constable to account.

d) What is the legal basis for our use of your personal information?

The OPCC is a public authority and has certain powers and obligations. We have a general duty under the Police Reform & Social Responsibility Act 2011 to hold the police force to account.

Therefore the basis on which we process the above information is in the exercise of our official authority and/or in performance of a task in the public interest.

e) On what basis do we use special category data?

The OPCC may sometimes process data about you which is sensitive, known as special category data (as detailed above).

Special category data requires higher levels of protection and we have to have a further justification for collecting, storing and using this type of personal data.

We will only process this type of data during the course of our involvement in joint committees and forums on the basis that:

- it necessary for reasons of substantial public interest; or
- it is necessary for the establishment, exercise or defence of legal claims;
- the information has been made public by you; or
- it is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes.

We may need to approach you for written consent to allow processing of certain sensitive personal data. In these circumstances, you will be provided with full details of the personal data that is required and why it is needed, to allow you to carefully consider whether you wish to consent.

f) On what basis do we use information about criminal convictions?

Information about criminal conviction requires higher levels of protection and we need to have a further justification for collecting, storing and using this type of personal data.

We will only process this type of data during the course of our involvement in joint committees and forums on the basis that:

- it is necessary for reasons of substantial public interest; or
- it is necessary for the establishment, exercise or defence of legal claims; or
- the information has been made public by the individual; or
- it is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes.

We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data.

g) Who will we share your personal information with?

We will not share your information with any other third parties. However, please note that as we will usually obtain the above information via our attendance at multi-party meetings, these organisations are also likely to hold the applicable personal data.

h) How long will we keep your personal information?

For more information about how long we hold personal data, see our retention schedule.

Subject access and Fol requests

a) What personal information do we hold?

If you contact us with a request for information (such as a subject access request or freedom of information request) you may provide the following information to us:

- **Identity data** – name, gender, marital status.
- **Contact details data** – address, email address, telephone number.

You may also provide other details relating to you so that we can identify the information you have requested.

b) How do we collect your personal information?

We will collect information directly from you when you correspond with us by post, telephone, email, on social media or otherwise.

c) For what purposes do we use your personal information?

We use your information to respond to your request for information. We will keep an internal record of your information for monitoring reasons.

d) What is the legal basis for our use of your personal information?

We will process your personal data relating to a request for information on the basis that we have a legal obligation to provide that information or respond to your request.

In relation to processing subject access requests, our specific legal obligation can be found in the General Data Protection Act 2018.

In relation to processing freedom of information requests, our specific legal obligation can be found in the Freedom of Information Act 2000 and/or The Environmental Information Regulations 2004.

e) Who will we share your personal information with?

We will only share your personal data with third parties if it is necessary to respond to your information request (such as where they hold relevant information that we are required to provide to you).

f) How long will we keep your personal information?

For more information about how long we hold personal data, see our retention schedule.

The OPCC website

a) What personal information do we hold?

When you visit www.warwickshire-pcc.gov.uk, we may automatically collect technical data about your equipment, browsing actions and patterns from your computer when you interact with our website (for example, internet protocol (IP) addresses, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other information on the devices you use to access our website).

If we do collect other personal data through our website, we'll be upfront about this. We'll make it clear when we collect personal information and we'll explain what we intend to do with it.

b) How do we collect your information?

There are two main ways in which we collect your information:-

i. Analytics

When you visit www.warwickshire-pcc.gov.uk, we use a third-party service, Google Analytics, to collect standard internet log information and details of visitor behaviour patterns. We do this to find out such things as the number of visitors to the various parts of the site. This information is only processed in a way that does not identify anyone. We do not make, and do not allow Google to make, any attempt to find out the identities of those visiting our website. Users can disable our use of Google Analytics for their website visit at any time.

ii. Cookies

You can read more about how we use cookies on our [Cookies page](#). In recognition of GDPR and the PECR, we have turned all cookies off on our website by default, except those which are strictly necessary for the correct functioning or security of the website.

Users are presented with an explicit opt-in action when they visit the site to enable non-necessary cookies, alongside a dashboard facility accessible from every page which provides the facility provide or revoke consent for every non-necessary cookie at any time.

c) For what purposes do we use your personal information?

The purpose for implementing all of the above is to maintain and monitor the performance of our website, uphold network security and to constantly look to improve the site and the services it offers to our users.

d) What is the legal basis for our use of your personal information?

The legal basis we rely on to process your personal data is article 6(1)(f) of the GDPR, which allows us to process personal data when it is necessary for the purposes of our legitimate interests (in this case, the running of our website, provision of administration and IT services and network security).

e) Who will we share your personal information with?

We will only share your data with our website host, [Formation Media](#), who provide IT and system administration services.

Please note that, where we provide links to websites of other organisations, plug-ins and applications, clicking on those links or enabling these connections may allow third-parties to collect or share data about you. We do not control these third-party websites and this privacy notice does not cover how these websites, organisations or applications processes personal information. We encourage you to read the privacy notices on the other websites you visit.

f) How long will we keep your personal information?

For information about how long we hold personal data, see our retention schedule.

Other websites we control

a) What personal information do we hold?

The OPCC also funds a number of other websites to deliver aspects of crime prevention and community safety work. In the case of the Warwickshire Rural Watch website (www.warwickshireruralwatch.co.uk) and Warwickshire Business Watch website (www.warwickshirebusinesswatch.co.uk), no personal data is collected automatically by the websites.

The Cyber Safe Warwickshire website (www.cybersafewarwickshire.com) may automatically collect technical data about your equipment, browsing actions and patterns from your computer.

The Warwickshire Business Watch website does collect some personal data on a voluntary basis from users who sign up to the Modern Slavery and Human Trafficking Business Pledge. Please see the relevant section in this policy for further details.

If we do collect other personal data through our websites, we'll be upfront about this. We'll make it clear when we collect personal information and we'll explain what we intend to do with it.

b) How do we collect your information?

There are two main ways in which we collect your information:-

i. **Analytics**

When you visit www.cybersafewarwickshire.com, we use a third-party service, Google Analytics, to collect standard internet log information and details of visitor behaviour patterns. We do this to find out such things as the number of visitors to the various parts of the site. This information is only processed in a way that does not identify anyone. We do not make, and do not allow Google to make, any attempt to find out the identities of those visiting our website.

ii. **Cookies**

You can read more about how Cyber Safe Warwickshire uses cookies on its [Cookies page](#). In recognition of the fact that the implementation date for the revised e-Privacy Regulation remains unknown, we are taking reasonable steps now to align our use of cookies to the standard of consent required by GDPR.

This means that we are in the process of updating the website to use a cookies tool which, by default, requires explicit opt-in action by users of our website. This will apply to the non-necessary cookies. We will ensure any necessary cookies for functionality and security are marked so that they are not deleted by the tool.

For the avoidance of doubt, neither the Warwickshire Rural Watch or Warwickshire Business Watch sites use Google Analytics or make use of other cookies to collect personal data.

c) For what purposes do we use your personal information?

The purpose for implementing all of the above is to maintain and monitor the performance of our website, uphold network security and to constantly look to improve the site and the services it offers to our users.

d) What is the legal basis for our use of your personal information?

The legal basis we rely on to process your personal data is article 6(1)(f) of the GDPR, which allows us to process personal data when its necessary for the purposes of our legitimate interests (in this case, the running of our website, provision of administration and IT services and network security).

e) Who will we share your personal information with?

In the case of the Cyber Safe Warwickshire website, we share information with [Edge of the Web](#), who provide IT and system administration services. Information is also shared with Warwickshire County Council, who employ the Cyber Crime Advisors who populate and maintain the website content.

Please note that where we provide links to websites of other organisations, plug-ins and applications. Clicking on those links or enabling these connections may allow third-parties to collect or share data about you. We do not control these third-party websites and this privacy notice does not cover how these websites, organisations or applications processes personal information. We encourage you to read the privacy notices on the other websites you visit.

f) How long will we keep your personal information?

For information about how long we hold personal data, see our retention schedule.

Modern Slavery and Human Trafficking Business Pledge

a) What personal information do we hold?

If you sign up to the Warwickshire Modern Slavery and Human Trafficking Pledge on the Warwickshire Business Watch website, we will collect and store the following information about you:

- Identity data– your business name.
- Contact details data– email address, town or city and postcode.

We will also collect details about the industry sector your business is engaged in.

It is possible that business names and email addresses submitted may constitute personal information and we will process all such submitted data on the assumption that it is personal data.

b) How do we collect your information?

We collect your personal information from a sign-up form on the Warwickshire Business Watch website. Users who complete the form are emailed with relevant information and advice and asked to contact the Business Crime Advisor.

c) For what purposes do we use your personal information?

If you have signed up to the pledge, any personal data you submit is held to enable the Business Crime Advisor to send the information email to you and to allow for monitoring of numbers signing the pledge by industry sector.

d) What is the legal basis for our use of your personal information?

The legal basis that we rely on to process your personal data is consent.

You have the right to withdraw your consent for processing at any time. To withdraw your consent, clicking the unsubscribe link in the footer of each email or contact Business Crime Advisor Bogdan Fironda at boganfironda@warwickshire.gov.uk. Once we have received notification that you have withdrawn your consent, we will delete your personal information from our pledge records.

e) Who will we share your personal information with?

The website account for Warwickshire Business Watch is administered by Priory Commercial Photography (www.priory-photography.co.uk) which provides IT and technical support. The email and pledge monitoring is produced by the Business Crime Advisor, who is funded by the OPCC and employed by Warwickshire County Council.

f) How long will we keep your personal information?

If you have signed up to the pledge, we will retain your data until:

- i. Three months after you have submitted it, for monitoring purposes; or

- ii. you request that we delete your data; or
- iii. the email you originally provided is no longer valid, meaning the email sent to it bounces back.

Media enquiries

a) What personal information do we hold?

We receive enquiries from the media on current affairs, the work of the Commissioner as well as policing, criminal justice and community safety matters. In addition, we publicise the work of the Commissioner through the issuing of press releases and other publications.

In order to reply to media enquiries we need enough information from the representative of the media in order to provide a response. This will include their name, telephone number/contact email address and, where relevant, the name of the organisation they represent, as well as the details of the enquiry.

We maintain a list of email addresses for media and community contacts who have requested our press releases.

b) How do we collect your information?

We will take this information when contacted by a representative of the media, usually by telephone or email and sometimes in person. We will only take enough information in order to provide a response or to add them to our press release distribution list.

c) For what purposes do we use your personal information?

We need to keep a record of who we have spoken with and what has been asked for/provided. If we can't answer your query/request over the phone, we'll need your contact information for our response.

We'll only use your personal information to respond to you and will make a record of our communications with you, both verbal and written.

We'll also use your contact information to send you our press releases.

d) What is the legal basis for our use of your personal information?

The legal basis we rely on for processing your personal data is public task, under article 6(1)(e) of the GDPR.

e) Who will we share your personal information with?

In order to provide a response to your enquiry, we may need to liaise with the police or other agencies in order to establish facts or supporting information. We will tell you if this is the case.

f) How long will we keep your personal information?

For information about how long we hold personal data, see our retention schedule.

You can however, ask us to stop sending you press releases at any time and we will update our records immediately to reflect your wishes.

Commissioner's E-mail newsletter

a) What personal information do we hold?

If you sign up to receive our newsletter we will collect and store the following information about you:

- **Identity data** – your name.
- **Contact details data** – email address.

b) How do we collect your personal information?

We collect your personal information from a sign-up form on our website. Users who complete the form are emailed a link to complete the sign-up as part of a two-step verification process, to ensure that they understand that they are subscribing to our email newsletter and to prevent malicious use.

We may also ask you for your personal information in order to subscribe you to our newsletter as part of our public consultations. We will always make this clear in our consultations. Provision of this personal information will always be optional and subject to the same two-step verification process.

c) For what purposes do we use your personal information?

If you have signed up to receive our newsletter, your personal data is held to enable the OPCC to send the newsletter to you.

d) What is the legal basis for our use of your personal information?

The legal basis that we rely on to process your personal data is consent.

You have the right to withdraw your consent for processing at any time. To withdraw your consent, clicking the unsubscribe link in the footer of each email newsletter or contact us at opcc@warwickshire.pnn.police.uk. Once we have received notification that you have withdrawn your consent, we will delete your email address from our mailing list.

e) Who will we share your personal information with?

We use MailChimp to provide our email newsletter. By subscribing to receive the Commissioner's monthly email update you acknowledge that the information you provide will be transferred to MailChimp for processing in accordance with its [Privacy Policy](#) and [Terms](#).

f) How long will we keep your personal information?

If you have signed up to receive our newsletter, we will retain your data until:

- i. you request that we delete your data or remove you from our mailing list (either by unsubscribing or contacting us); or
- ii. the MailChimp software indicates that you have not opened an email from us for six months: or;
- iii. the email you originally provided is no longer valid, meaning newsletters sent to it bounce back.

Other E-mail newsletters

a) What personal information do we hold?

If you sign up to receive updates from either the Warwickshire Rural Watch Email Messaging System or the Warwickshire Business Watch Email Messaging System, we will collect and store the following information about you:

- **Identity data** – your name.
- **Contact details data** – email address.

b) How do we collect your personal information?

We collect your personal information from a sign-up form on the Warwickshire Rural Watch website or the Warwickshire Business Watch website respectively. Users who complete the form are emailed a link to complete the sign-up as part of a two-step verification process, to ensure that they understand that they are subscribing to our email newsletter and to prevent malicious use.

We may also ask you for your personal information in order to subscribe you to our newsletter as part of our public engagements. We will always make this clear at the time. Provision of this personal information will always be optional and subject to the same two-step verification process as when subscribing online.

c) For what purposes do we use your personal information?

If you have signed up to receive our newsletter, your personal data is held to enable the OPCC to send the newsletter to you.

d) What is the legal basis for our use of your personal information?

The legal basis that we rely on to process your personal data is consent.

You have the right to withdraw your consent for processing at any time. To withdraw your consent, clicking the unsubscribe link in the footer of each email newsletter or contact us at opcc@warwickshire.pnn.police.uk. Once we have received notification that you have withdrawn your consent, we will delete your email address from our mailing list.

e) Who will we share your personal information with?

We use MailChimp to provide both the Rural Watch and Business Watch email newsletters. By subscribing to receive the updates, you acknowledge that the information you provide will be transferred to MailChimp for processing in accordance with its [Privacy Policy](#) and [Terms](#).

The MailChimp account for Warwickshire Rural Watch is administered by Priory Commercial Photography (www.priory-photography.co.uk) which provides IT and technical support. The email newsletters are produced by the Rural Crime Advisor for North Warwickshire, who is funded by the OPCC and employed by Warwickshire Police.

The MailChimp account for Warwickshire Business Watch is also administered by Priory Commercial Photography (www.priory-photography.co.uk) which provides IT and technical support. The email newsletters are produced by the Business Crime Advisor, who is funded by the OPCC and employed by Warwickshire County Council.

f) How long will we keep your personal information?

If you have signed up to receive our newsletter, we will retain your data until:

- i. you request that we delete your data or remove you from our mailing list (either by unsubscribing or contacting us); or
- ii. the MailChimp software indicates that you have not opened an email from us for six months: or;
- iii. the email you originally provided is no longer valid, meaning newsletters sent to it bounce back.

The Warwickshire Business Watch and Cyber Safe Warwickshire websites also include links to email newsletters produced by Warwickshire Police and Warwickshire County Council. The OPCC is not the data controller for these newsletters and subscribers should refer to the privacy policies for these organisations for further information on how personal data is collected and used.

- Warwickshire Police: www.warwickshire.police.uk/privacynotice
- Warwickshire County Council: www.warwickshire.gov.uk/disclaimer

Public consultations

a) What personal information do we hold?

The exact nature of the personal information collected when you respond to our consultations will vary with each consultation, but in all cases will be limited only to information which is necessary to understand the specific subject area being consulted upon and for demographic monitoring purposes.

We'll publish a summary of the consultation responses but this will not contain any personal data.

b) How do we collect your personal information?

The majority of our consultations are conducted online through web-based surveys, though alternative paper-based versions of the survey questions may also be provided for those who require them. Where this is the case, survey responses will be transferred by the OPCC into an electronic format for data evaluation purposes.

Some consultations may also be conducted in focus groups, over the telephone or face-to-face. Where this is the case, we will be clear on what personal data will be collected and how it will be handled.

c) For what purposes do we use your personal information?

The OPCC conducts public consultations in order to inform its work and during the development of services. It also has statutory obligations to consult with the public. The Police Reform and Social Responsibility Act 2011, together with other legislation, places a legal obligation on the OPCC to:-

- Obtain the views of local people on policing and have regard to those views;
- Make arrangements for engaging with local people in setting police and crime objectives;
- Obtain the views of local people and ratepayers prior to setting the police precept and police budget;
- Obtain the views of victims of crime about matters concerning local policing and, where appropriate, feed back to them on actions taken to address them.

We collect demographic information in order to understand how effective our consultations are at reaching particular groups of people, such as location, ethnic grouping, age range and gender. Provision of this information will always be optional and is not required in order to complete the consultation.

d) What is the legal basis for our use of your personal information?

The legal basis we rely on to process your personal data is article 6(1)(e) of the GDPR, which allows us to process personal data when this is necessary to perform our public tasks.

You have the right to withdraw your consent for processing at any time. To withdraw your consent, contact us at opcc@warwickshire.pnn.police.uk. Once we have received

notification that you have withdrawn your consent, we will delete your personal information from the survey responses.

e) Who will we share your personal information with?

We use SurveyMonkey to conduct our online consultations. By completing an online consultation, you acknowledge that the information you provide will be transferred to SurveyMonkey for processing in accordance with its [Privacy Policy](#).

We also sometimes contract third parties to consult on our behalf or jointly with partner organisations. When this is the case, we will make this clear at the outset, stating who that third party is and informing you of any related privacy notices, terms or conditions which will apply.

We have contracts in place with SurveyMonkey and any other company we contract with to conduct surveys on our behalf, to ensure that your data is protected in accordance with the law when we share your data with them.

f) How long will we keep your personal information?

Any personal information you provide when responding to our consultations will be retained for the duration of the consultation and until completion of the statistical analysis of the responses. It will then be deleted.

Summaries of the responses to consultations may be published and remain available indefinitely or as per statutory requirements, but these will not include any personal information.

For more information about how long we hold personal data, see our retention schedule.

Photographs and filming

a) What personal information do we hold?

Photographs and/or video recordings of you (together referred to as “images”) will constitute personal data if you can be identified from the photograph and/or recording.

When we take images of you, we will ask you to complete a form to record your consent for using them for marketing and publicity purposes or, optionally, for another other stated reason.

If you consent for us to do so, we will hold your images, along with the information provided in the consent form (your name, whether you are over 16 and your consent for us to use your images). We also ask you to provide optional contact details such as your email address in case we need to seek your consent to use the images in a different way to that previously specified at some point in the future.

For children under 16 years of age we will additionally seek parental consent for images to be used.

b) How do we collect your personal information?

Your personal information may be collected in images taken at events you attend and through the consent form that we will ask you to complete.

c) For what purposes do we use your personal information?

We will only use your images for the specific purposes detailed in the consent form. Should we wish at a future date to use the images in a different way to those you have consented to, we will contact you using the details you have provided to seek your express permission for this further use. We will not use your images in a different way if we do not hold contact details for you to enable us to obtain consent.

d) What is the legal basis for our use of your personal information?

The legal basis that we rely on to process your personal data is consent.

You have the right to withdraw your consent for processing at any time. To withdraw your consent, please contact us. Once we have received notification that you have withdrawn your consent, we will delete any images of you and not include such images in any future publications or other materials. We may be unable to remove your images from publications that have already been circulated and we will notify you if this is the case.

e) Who will we share your personal information with?

The OPCC will not share your images with third parties, save for those covered by the consent form (i.e. media contacts when issued with a press release, the Commissioner’s monthly newsletter and social media channels). Third parties may however receive your images by virtue of them receiving or accessing the applicable publication in print or online.

f) How long will we keep your personal information?

We generally retain your images for no longer than four years from the date the photograph or recording is taken. However, if your image has been included in a publication or online, it may remain in circulation or accessible online indefinitely. If we intend to use your image more than four years after the date the photograph or recording is taken we will contact you to obtain your consent. Unless we receive your renewed consent, we will delete your images as well as your contact details after four years.

Visiting the office

a) What personal information do we hold?

We meet visitors at our office, including:

- dignitaries;
- members of the public by prior appointment;
- journalists;
- external training providers;
- job applicants;
- suppliers and tradespeople; and
- stakeholders and key partners.

We may retain the name of visitors and details of the organisations they represent. On diary entries we may additionally record details of topics to be discussed at the meeting and/or any relevant supporting information provided.

b) How do we collect your information?

We ask all visitors to sign in and out at reception. We may also keep a record of pre-planned appointments in the electronic diary of the relevant staff member(s) being visited.

c) For what purposes do we use your personal information?

We gather this information for security and for fire safety purposes and to enable efficient functioning of the office.

d) What is the legal basis for our use of your personal information?

The legal basis we rely on to process your personal data is article 6(1)(f) of the GDPR, which allows us to process personal data when it is necessary for the purposes of our legitimate interests.

e) Who will we share your personal information with?

We will not share this information with any third parties.

f) How long will we keep your personal information?

For information about how long we hold personal data, see our retention schedule.

Applying for a job or volunteer role

a) What personal information do we hold?

If you apply for a job or volunteering opportunity with us we will ask you to complete an application form, which includes a separate equal opportunities monitoring form. We may collect the following information on the application and equal opportunities forms:

- **Identity data** – name.
- **Contact details data** – address, email address, telephone number.
- **Medical data** – sickness absence, disabilities or reasonable adjustments required.
- **Equal opportunities data** - racial or ethnic origin, mental and physical health, political beliefs, religious beliefs, trade union affiliation, genetic data and data concerning sexual life or orientation.
Please note that you do not have to provide this information and it will not affect your application. We will not make the information available to any staff outside our recruitment team, including hiring managers, in a way that can identify you. Any information you provide will be used to produce and monitor equal opportunities statistics.
- **Criminal offence data** - details of criminal convictions, arrests and cautions.

If you are applying for an OPCC staff role or the Chief Constable role, if successful, you will be asked to complete a medical questionnaire. This will include:

- **Medical data** - medical history, details of medication/treatment received, sickness absence, disabilities.

If your application is successful and you receive a conditional offer, it is a requirement that all staff are police vetted. The police vetting form has a separate Privacy Notice setting out how your personal data will be processed.

b) How do we collect your personal information?

We will collect the above information from the information you provide on your application form and any correspondence with you in relation to your application.

c) For what purposes do we use your personal information?

Our purpose for processing this information is to assess your suitability for a role you have applied for.

d) What is the legal basis for our use of your personal information?

If you are applying for a job with the OPCC (excluding the Chief Constable role), the legal basis we rely on for processing your personal data is that it is necessary to perform a contract or to take steps at your request before entering a contract.

If you are applying for a volunteering opportunity with the OPCC, the legal basis we rely on for processing your personal data is legitimate interests.

If you are applying for the role of Chief Constable, the legal basis on which we process the above information is in the exercise of our official authority and/or in performance of a task in the public interest. The PCC's specific duty can be found within the Police Reform and Social Responsibility Act 2011.

e) On what basis do we use special category data?

The OPCC may sometimes process data about you which is sensitive, known as special category data (as detailed above).

Special category data requires higher levels of protection and we have to have a further justification for collecting, storing and using this type of personal data.

The legal basis we rely on to process any information you provide as part of your application which is special category data, such as health, religious or ethnic information is article 9(2)(b) of the GDPR, which also relates to our obligations in employment and the safeguarding of your fundamental rights and article 9(2)(h) for assessing your work capacity as an employee. Schedule 1 part 1(1) and (2)(a) and (b) of the DPA 2018 also which relates to processing for employment, the assessment of your working capacity and preventative or occupational medicine.

f) On what basis do we use information about criminal convictions?

Information about criminal conviction requires higher levels of protection and we need to have a further justification for collecting, storing and using this type of personal data.

We will only process this type of data during the course of evaluating your application on the basis that should an offer of employment be made, successful police vetting will be required to gain access to police information, equipment, infrastructure and people assets.

The legal basis we rely on to process any information about your criminal convictions obtained when you apply for a job is Schedule 1 part 1 (1) of the DPA 2018 which relates to processing for employment purposes and the assessment of your working capacity.

g) Who will we share your personal information with?

We may share your personal information with the following parties:

- Warwickshire Police HR team (as the OPCC uses the services of the HR team for processing applications).
- Warwickshire Police Vetting Unit (for processing the police vetting form).

In relation to the appointment of the Chief Constable and senior OPCC post holders, we may also share your personal information with the following parties:

- Home Secretary (Chief Constable only).
- Police and Crime Panel (as they have a statutory role in relation to the review of senior appointments).
- College of Policing (if we use their services to aid the recruitment process).
- Independent interview panel members (as notified to you in advance).

h) How long will we keep your personal information?

For information about how long we hold personal data, see our retention schedule.

4. FAILURE TO PROVIDE PERSONAL DATA

If you fail to provide certain information when requested we may be prevented from complying with our statutory functions (such as complaint handling) and we may be unable to respond adequately or provide the right assistance.

In circumstances where we rely on your consent to process your personal data (such as signing up to receive our newsletter) you are not obliged to provide us with your personal information.

5. SHARING YOUR PERSONAL DATA

The identity of any third parties with whom we may share your personal data is set out in each specific circumstance of data collection detailed above.

The OPCC may also share your data with some or all of the following (but only where necessary):

- Other public sector bodies the OPCC works with, for example, Warwickshire Police or Warwickshire County Council.
- OPCC agents, suppliers and contractors. For example, the OPCC may ask a commercial provider to publish or distribute newsletters on the OPCC's behalf or to maintain database software.
- On occasion, local authorities or not for profit bodies with which the OPCC is carrying out joint ventures, e.g. in relation to facilities or events for the community.

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 personal data.

6. HOW LONG IS PERSONAL DATA RETAINED?

The length of time that we keep personal data depends upon our reasons for collecting it. Details of our retention periods for specific circumstances are set out in our Retention Policy.

Please note that we have certain statutory obligations to retain some data in connection with our statutory obligations as a public authority.

We may also 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). The OPCC will retain some personal data for this purpose as long as it is believed to be necessary to be able to defend or pursue a claim. In general, the OPCC will endeavour to keep data only for as long as it is required. This means that it will be deleted when it is no longer needed.

7. YOUR RIGHTS

There are a number of rights in relation to your personal data as outlined below. When you seek to exercise any of your rights the OPCC may require a consent form to be completed and identification may be required. Details can be found on the [OPCC website](#).

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

1) The right to access personal data we hold about you

At any point you can contact the OPCC to request the personal data held about you as well as why the OPCC has that personal data, who has access to the personal data and where the personal data was obtained from. Once your request has been received it will be responded to within one calendar 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 personal data we hold is out of date, incomplete or incorrect, you can inform the OPCC and your data will be updated.

3) The right to have your personal data erased

If you feel that the OPCC should no longer be using your personal data or that the OPCC is unlawfully using your personal data, you can request that the OPCC erase the personal data it holds.

When your request is received, the OPCC will confirm whether the personal data has been deleted or the reason why it cannot be deleted (for example because it is required to be kept 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 the OPCC stop processing your personal data or ask for the OPCC to restrict processing. Upon receiving the request the OPCC will contact you and let you know if the organisation is able to comply or if the OPCC has a lawful reason to continue to process your data.

5) The right to data portability

In some limited circumstances you may have the right to request that the OPCC transfer some of your data to another organisation. The OPCC will comply with your request, where it is feasible to do so, within one calendar month of receipt of your request.

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

If the lawful basis on which we process your data is based on your consent (for example, sending our newsletter to you), you can withdraw your consent easily at any time by contacting us via telephone, email, or by post using the details at the end of this Privacy Notice. You can also unsubscribe from our mailing list by clicking the "unsubscribe" button at the foot of the emails you have received.

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

You have the right to complain to the Information Commissioner's Office if you are dissatisfied with how your personal data is or has been used.

You can contact the Information Commissioner's Office using the following contact details:

Address: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

E-mail <https://ico.org.uk/global/contact-us/email>

Tel: 0303 123 1113

8. TRANSFER OF DATA ABROAD

If you have signed up to receive the OPCCs newsletter, your data may be transferred to the United States as a result of the OPCC's use of MailChimp for data processing. Additionally, data may also be transferred to the United States when responding to public consultations using an online SurveyMonkey form. Both organisations have signed up to the US Privacy Shield Frameworks. These are designed to provide a mechanism to comply with data protection requirements when transferring personal data from the European Union and Switzerland to the United States in support of transatlantic commerce.

The OPCC will not otherwise transfer your data outside the European Economic Area ("EEA"). However, if this is required at any time, any personal data transferred to countries or territories outside the 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.

9. FURTHER PROCESSING

If the OPCC wishes to use your personal data for a new purpose not covered by this Privacy Notice, then the OPCC will provide you with a new Privacy Notice explaining this new use prior to commencing the processing. The Privacy Notice will set out the relevant purposes and processing conditions. Whenever necessary, the OPCC will seek your prior consent to the new processing.

10. CHANGES TO THIS NOTICE

The Privacy Notice will be under regular review with any updates published on the [OPCC's website](#) or available upon request. The Privacy Notice will be reviewed every two years.

11. CONTACT DETAILS FOR OUR DATA PROTECTION OFFICER

The OPCC's Data Protection Officer is Warwickshire Legal Services who can be contacted via email at: wls@warwickshire.gov.uk.

12. CONTACT DETAILS FOR THE OPCC

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

Address: Warwickshire Office of the Police and Crime Commissioner, 3 Northgate Street, Warwick CV34 4SP

E-mail: opcc@warwickshire.pnn.police.uk

Tel: 01926 412322