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

**Privacy Notice**

This privacy notice explains what personal details we collect, what we do with your information, who we may share it with and why, and your rights over the information you have given us.

This privacy notice is also available in Welsh.

**Who we are**

The Office of the Police and Crime Commissioner for Gwent (OPCC) provides support to the Police and Crime Commissioner (PCC) in carrying out their duties and responsibilities which include holding the Chief Constable for Gwent to account for the delivery of local policing, setting and updating a police and crime plan, setting the budget and the precept and engaging with the public and communities within Gwent.

The OPCC is the data controller for the personal information we process, unless otherwise stated.

You can contact us in a number of ways:

By email: Commissioner@gwent.police.uk

By telephone: 01633 642200

By post: Office of the Police and Crime Commissioner for Gwent

 Police Headquarters

 Llantarnam Park Way

 Llantarnam

 Cwmbran

 NP44 3FW

The Data Protection Officer (DPO) is Joanne Regan. She can be contacted via the details above. Please mark all correspondence for the attention of the DPO.

**Your personal data - definition**

The UK General Data Protection Regulation (GDPR) defines personal data as “*any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person*”.

Therefore personal data 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 directly using the data itself or by combining it with other information which helps to identify a living individual.

**The data we may collect about you**

Most of the personal information we process is provided to us directly by you for one of the following reasons:

* You have made a complaint or enquiry to us.
* You have made an information request to us.
* You wish to attend, or have attended, an event.
* You have applied for a job, secondment or voluntary position with us.
* You are representing your organisation.
* Submission of a request for funding.

We also receive personal information indirectly, in the following scenarios:

* From public figures such as an MP or a legal representative who is contacting us on your behalf.
* A complainant refers to you in their complaint correspondence.
* Dealing with Gwent Police in relation to a complaint you have made about them to us.
* Approving and signing of contracts (all contracts are provided in the PCC’s name but the work is completed and subsequently managed by Gwent Police).
* Whistleblowers include information about you in their reporting to us.
* From other regulators or law enforcement bodies.
* An employee of ours gives your contact details as an emergency contact or a referee.
* Pictures of you at events.

If it is not disproportionate or prejudical, we will contact you to let you know we are processing your personal information. ​

In some circumstances, the OPCC may need to obtain ‘Special Categories of Personal Data’ such as information relating to:

* Health
* Criminal Convictions
* Racial or Ethnic Origin
* Political opinion
* Religious or philosophical beliefs
* Trade union membership
* Sexual orientation

**The legal basis for processing your personal data**The OPCC will not process your information unless it has a lawful basis to do so, as set out within the UK General Data Protection Regulation.

In the majority of cases the information we process about you will fall within our **‘legal obligation’** such as when you apply for a job with us, **‘contract’** when you undertake a contract with the OPCC or Gwent Police or via **‘consent’** such as when you contact us about a complaint, apply for funding or attend an event such as a public surgery. We will obtain consent from you if we use your identifiable image in any picture of you at an event.

**Sharing your personal data**

We may use other organisations as data processors to provide elements of services for us. We have contracts or Information Sharing Agreements in place to ensure all data protection legislation is met in relation to the sharing of your personal information. This means that they cannot do anything with your personal information unless we have instructed them to do it. They will not share your personal information with any organisation apart from us. They will hold it securely and retain it for the period we instruct.

We will not share your information with any third parties for the purposes of direct marketing.

In order to adhere to our legal obligations and meet our responsibility to the communities we serve, we often need to work with partner organisations.

To ensure our partnerships work effectively, we may need to share your personal and sensitive information with other authorities and partners such as:

* Gwent Police.
* Local authorities.
* Home Office.
* Community groups.
* Charities.
* Other not for profit entities.
* Contractors.
* Employment agencies.
* Information Commissioner’s Office.
* Independent Office for Police Conduct.
* Internal and External Auditors.
* Joint Audit Committee.

There may also be occasions where we need to share your personal information due to a public safety or security reason such as:

* For the investigation, detection and prevention of a crime.
* Where there is a legal duty to share the information and the importance of doing so outweighs the importance of confidentiality.
* If there are serious risks to the public, our staff or other professionals.
* To protect children or vulnerable adults.
* There is a public interest that outweighs the duty of confidence.

There may also be certain circumstances whereby we are legally obliged to share information such as in relation to the handling of complaints.

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

Your personal data is kept in line with our [retention schedule](https://www.gwent.pcc.police.uk/en/transparency/publications/records-management-policy-and-retention-and-disposal-schedule/).

The OPCC retention policy has been drafted in line with the National Police Chief’s Council (NPCC) guidance on the retention of police records as well as with best practice guidance issued by the National Archives.

**Your rights in relation to your personal data**

Under data protection law, you have rights we need to make you aware of. The rights available to you depend on our reason for processing your information.

Your right of Access

You have the right to ask us for copies of your personal information. This right always applies. There are some exemptions which means you may not always receive all the information we process. [You can read more about this right here](https://ico.org.uk/for-the-public/your-right-to-get-copies-of-your-data/).

Your right to rectification

You have the right to ask us to rectify information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete. This right always applies. [You can read more about this right here](https://ico.org.uk/for-the-public/your-right-to-get-your-data-corrected/).

Your right to erasure

You have the right to ask us to erase your personal information in certain circumstances. [You can read more about this right here.](https://ico.org.uk/for-the-public/your-right-to-get-your-data-deleted/)

Your right to restriction of processing

You have the right to ask us to restrict the processing of your information in certain circumstances. [You can read more about this right here](https://ico.org.uk/for-the-public/your-right-to-limit-how-organisations-use-your-data/).

Your right to object to processing

You have the right to object to processing if we are able to process your information because the process forms part of our public tasks, or is in our legitimate interests. [You can read more about this right here.](https://ico.org.uk/for-the-public/the-right-to-object-to-the-use-of-your-data/)

Your right to data portability

This only applies to information you have given us. You have the right to ask that we transfer the information you gave us from one organisation to another, or give it to you. The right only applies if we are processing information based on your consent or under, or in talks about entering into a contract and the processing is automated. [You can read more about this right here.](https://ico.org.uk/for-the-public/your-right-to-data-portability/)

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

Please contact us at commissioner@gwent.police.uk if you wish to make a request.

**Keeping your information secure**

We are committed to ensuring that your personal data is safe. In order to prevent unauthorised access or disclosure, we have put in place suitable physical, electronic and managerial procedures to safeguard and secure the information that we hold about you. These include:

* Secure work areas
* Information security awareness for our staff
* Access controls on all systems
* Encryption of personal data
* Testing of IT systems

**Transfers outside the European Economic Area**

We do not share personal information beyond the European Economic Area (EEA) on a regular basis.  In the very rare circumstances that your personal information might be transferred outside of the EEA, you will be notified beforehand, providing that does not conflict with any legal obligation imposed upon us.

**Changes to this Privacy Notice**

We keep our privacy notice under regular review to make sure it is up to date and accurate.

**If you are not satisfied**

We set very high standards for the collection and appropriate use of personal data and take any complaints very seriously. We would like you to bring to our attention any instance where you believe the use of data is unfair, misleading or inappropriate. We also welcome any suggestions for improvement. Please contact our DPO in the first instance.

If you remain dissatisfied after contacting our DPO, you can lodge a complaint with the Information Commissioner:

Information Commissioner’s Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Helpline number: 0303 123 1113

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

**Updated 4th August 2023.**