

Office of the Police and Crime Commissioner for Gwent Police

Privacy Notice

This privacy notice tells you about 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.

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 his 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.pnn.police.uk

By telephone: 01633 642200

By post: Office of the Police and Crime Commissioner for Gwent
Police Headquarters
Turnpike Road
Croesyceiliog
Cwmbran
NP44 2XJ

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 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 prejudicial, 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 General Data Protection Regulation. These are:

- **Consent:** the individual has given clear consent for you to process their personal data for a specific purpose.

- **Contract:** the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.
- **Legal obligation:** the processing is necessary for you to comply with the law (not including contractual obligations).
- **Vital interests:** the processing is necessary to protect someone's life.
- **Public task:** the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.
- **Legitimate interests:** the processing is necessary for your legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests. (This does not apply if we are processing data to perform our official tasks.)

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.

The OPCC will ensure compliance 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.

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 of 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](#).

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.](#)

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.](#)

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.](#)

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.](#)

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.](#)

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.](#)

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. Data can be freely transferred to those countries that have been approved by the European Commission as having adequate data privacy laws, including all EU member states, Argentina, Canada, Switzerland, the Channel Islands and the Isle of Man, Israel and New Zealand.

Transferring personal data to a country beyond those approved by the European Commission must meet very strict standards. If those standards are not in place we will not utilise the services.

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 Data Protection Officer for the OPCC in the first instance.

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

Information Commissioner's Office – Wales
2nd Floor, Churchill House
Churchill Way
Cardiff
CF10 2HH

Telephone: 01625 545297

Fax: 029 2067 8399

Email: wales@ico.org.uk