



## **Fair Processing Statement Legal Services**

What happens to information held about you? Your rights and our obligations to you.

### **How We Use Personal Data in Legal Services**

Legal Services is the primary source of legal advice to the Council, Directorates, Elected Members, Committees and Officers. Legal Services conduct legal matters on behalf of the Council in the following areas (but not limited to):

- Property and Conveyancing
- Contract Advice and Preparation
- Licensing
- Compulsory Purchase
- Building Control and Grants
- Education
- Highways Road Traffic and Transportation
- Planning
- Public law
- Child Protection and Adoption
- Trading Standards and Public Operation
- Environmental Health
- Community Care and Mental Health
- Human Resources and Employment matters
- Criminal and civil litigation
- Corporate Finance
- Procurement

### **What and whose personal data do we handle?**

We hold information which is pertinent and relevant to the subject of and parties to a legal transaction. In our conduct of the same, we will collect the following personal data for example:

- Name, address, date of birth, national insurance number
- Identity information and documentation
- Any additional information to enable us to progress the case. This will depend on the type of legal work being undertaken. For example in a matter relating to child protection, we may require medical records.

We will also process the following personal information in order to deliver the following services:

- Special Educational Needs
- Planning applications
- Legal claims
- School appeals



- Highways claims and complaints
- Pensions
- Children's Services
- Trading Standards
- Licensing
- Youth Offending

### **Where do we obtain personal data from?**

In order to carry out the purposes described above Legal Services may obtain personal data from a wide variety of sources, including the following:

- Law enforcement agencies;
- HM Revenue and Customs;
- Licensing authorities;
- Legal representatives;
- Prosecuting authorities;
- Defence solicitors;
- Courts;
- Prisons;
- Security companies;
- Voluntary sector organisations;
- Approved organisations and people working with the Council;
- Auditors;
- Central government, governmental agencies and departments;
- Emergency services;
- Individuals themselves;
- Relatives, guardians or other persons associated with the individual;
- Current, past or prospective employers of the individual;
- Healthcare, social and welfare advisers or practitioners;
- Education, training establishments and examining bodies;
- Business associates and other professional advisors;
- Employees and agents of BCBC;
- Suppliers, providers of goods or services;
- Persons making an enquiry or complaint;
- Financial organisations and advisors;
- Credit reference agencies;
- Loss Adjusters
- External claims handlers
- Witnesses
- Medical consultants and GPs
- Survey and research organisations;
- Trade, employer associations and professional bodies;
- Local government;
- Voluntary and charitable organisations;
- Ombudsman and regulatory authorities;
- The media;



- Data Processors working on behalf of BCBC;
- Probation Service
- Public Protection Multi Agency Sharing Hubs;
- Information openly available on the internet;
- Body Worn Cameras worn by officers
- Other departments within the Council

### **How do we handle personal data?**

We will handle personal data in accordance with data protection legislation. In particular we will ensure that personal data is handled fairly and lawfully with appropriate justification. We will strive to ensure that any personal data used by us or on our behalf is of the highest quality in terms of accuracy, relevance, adequacy and non-excessiveness, is kept as up to date as required, is protected appropriately, and is reviewed, retained and securely destroyed when no longer required.

### **How do we ensure the security of personal data?**

The Council takes the security of all personal data under our control very seriously. We will ensure that appropriate policy, training, technical and procedural measures are in place, including audit and integrity monitoring, to protect our manual and electronic information systems from data loss and misuse, and only permit access to them when there is a legitimate reason to do so, and then under strict guidelines as to what use may be made of any personal data contained within them. These procedures are continuously managed and enhanced to ensure up-to-date security.

### **Who do we disclose personal data to?**

From time to time we will share your personal data with advisers, service providers and service departments so that they can assist us. In each case we will only do this to the extent that we consider the information is reasonably required for these purposes. In addition where required by law or to carry out a public task under the official authority of the Council we may share your personal information with:

- Other public bodies
- Healthcare, social and welfare organisations
- Local and Central Government
- Ombudsman and other regulatory authorities
- Courts/Tribunals
- Law enforcement and prosecuting authorities
- Police
- The disclosure and barring service
- Housing associations and landlords
- Healthcare professionals
- Legal representatives
- Security companies
- Debt collection and tracing agencies
- Students and pupils including their relatives



- Family, associates or representatives of the person whose data we are processing
- Private investigators
- Partner agencies
- Voluntary and charitable organisations
- Financial organisations
- Data Processors
- Providers of goods and services
- Professional bodies
- Licensing authorities
- Press/Media
- Auditors
- External claims handlers

It may sometimes be necessary for the Council to transfer personal information overseas. When this is needed information may be transferred to countries or territories around the world. Any transfers made will be in full compliance with all aspects of the legislation.

### **What is the legal basis for the use of this information?**

We need to process your personal information to carry out a task in the public interest or in the exercise of official authority in our capacity as a data controller

We need to process your personal information to meet contractual and legal obligations in relation to the performance of a contract

We need to process your personal information for compliance with a legal obligation

In limited circumstances you may have given us your explicit consent

### **How long do we retain personal data?**

We will only keep your personal data for as long as we need it. However we are required to retain your information for a period at the end of the transaction. In practice this means that your personal data could be retained for a period between 7 and 93 years depending on the nature of the transaction.

For more information please refer to the [Data Retention Policy](#)

### **What are my rights in relation to my personal data?**

Individuals have various rights:

1. The right to be informed
2. The right of access
3. The right to rectification
4. The right to erasure



5. The right to restrict processing
6. The right to data portability
7. The right to object
8. Rights in relation to automated decision making and profiling

### Right to be informed

You have the right to be informed about the collection and use of your personal data. The Council must provide you with information including: purposes for processing your personal data, retention periods for that data, and who it will be shared with. This is called 'privacy information'.

### Right of access

You can obtain a copy, subject to exemptions, of your personal data held by the Council. A copy of the application form is available from:

<https://www.bridgend.gov.uk/my-council/freedom-of-information/data-protection/>

You are also entitled to obtain confirmation as to whether or not data concerning you is being processed by the Council. Where that is the case, you are entitled to the following information subject to exemptions:

- The purposes of and legal basis for the processing
- The categories of personal data concerned
- The recipients to whom the personal data has been disclosed
- The period for which it is envisaged that the personal data will be stored
- Communication of the personal data undergoing processing and of any available information as to its origin.

*\*Please note that 'processing' means an operation or set of operations performed on personal data such as collection, recording, organisation, structuring, storage, adaption, alteration, erasure, restriction, retrieval.*

Proof of ID and any further information needed to locate the information may be required before the Council can comply with your request.

Any request for the above information should be made in writing to the Data Protection Officer and the Council will respond within one month.

### Rectification of data

You can request the Council to rectify inaccurate personal data relating to you. If the data is inaccurate because it is incomplete, the Council must complete it if is required to do so by you.

A request should be made in writing to the Data Protection Officer and a response will be sent within one month.



### Erasure or restriction of personal data

You can request that the Council erase your data or restrict any processing of your data, subject to exemptions.

All requests should be made to the Data Protection Officer. The Council will then inform you of whether the request has been granted and if it has been refused, the reasons for the refusal.

### Right not to be subject to automated decision-making

You have the right, subject to exemptions, not to be subject to a decision when it is based on automated processing and it produces a legal effect or a similarly significant effect on you. You have a right to express your point of view and obtain an explanation from the Council of its decision and challenge it. However, it should be noted that this right does not apply to all decisions as there are exemptions for example authorisation by law, performance of a contract to which you are a party.

### Right to data portability

The right to data portability allows you to obtain and reuse your personal data for your own purposes across different services.

The right only applies to information you have provided to the Council.

### Right to object

You have the right to object to the processing of your personal data in certain circumstances.

The Council has one calendar month to respond to an objection.

## **Contact Us**

Any individual with concerns over the way the Council handles their personal data may contact the Data Protection Officer as below:

Bridgend County Borough Council, Information Office, Civic Offices, Angel Street, Bridgend, CF31 4WB.

[E-mail \[foi@bridgend.gov.uk\]\(mailto:foi@bridgend.gov.uk\)](mailto:foi@bridgend.gov.uk)



**Bridgend County Borough Council**  
**Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr**

Telephone 01656 643565

You can also raise concerns with the Information Commissioner. The Information Commissioner can be contacted at:

2nd Floor  
Churchill House  
Churchill Way  
Cardiff  
CF10 2HH  
Telephone: 02920 678400 Fax: 02920 678399  
[Email: wales@ico.org.uk](mailto:wales@ico.org.uk)

**This document should be read in conjunction with the Council's [Corporate Fair Processing Statement](#) which is available on the Council's website.**