

## **Fair Processing Statement**

### **Bridgend County Borough Council - Insurance and Risk Section**

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

#### **How We Use Personal Data**

This document explains how the Insurance and Risk Section of Bridgend County Borough Council (BCBC) obtains, holds, uses and discloses information about people (their personal data), the steps we take to ensure that it is protected, and also describes the rights individuals have in regard to their personal data.

The use and disclosure of personal data is governed by the Data Protection Act 2018 and the General Data Protection Regulation 2016. As such the Insurance and Risk Section of BCBC is obliged to ensure that it handles all personal data in accordance with the legislation.

#### **1. Why do we handle personal data?**

The Insurance and Risk Section of BCBC processes personal information to enable it to:

- Carry out its legal obligation to investigate and respond to claims
- Maintain the accounts and records of the council
- Participate in local and national fraud initiatives
- Participate in crime prevention including the use of CCTV
- Manage archived records

#### **2. What type/classes of personal data do we handle?**

In order to carry out the purposes described under section 1 above the Insurance and Risk Section of BCBC may obtain, use and disclose personal data including the following:

- Personal details
- Family details - Relatives, guardians or other persons associated with the individual
- Lifestyle and social circumstances
- Financial details
- Employment and education details
- Visual images, personal appearance and behavior
- Student and pupil records
- Business activities
- Case file information
- Physical or mental health details
- Trade union membership
- Offences (including alleged offences)
- Criminal proceedings, outcomes and sentences.

BCBC will only use appropriate personal data necessary to fulfil a particular purpose or purposes. Personal data could be information which is held on a computer, in a paper record i.e. a file, as images, but it can also include other types of electronically held information e.g. CCTV images.

### **3. Who information is processed about**

In order to carry out the purposes described under section 1 above the Insurance and Risk Section of BCBC may obtain, use and disclose personal data about the following:

- Claimants
- Complainants, enquirers or their representatives
- Staff
- Students and pupils
- Carers or representatives
- Witnesses
- People captured by CCTV images
- Representatives of other organisations

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

In order to carry out the purposes described under section 1 above the Insurance and Risk Section of BCBC may obtain personal data from a wide variety of sources, including the following:

- Legal representatives;
- Solicitors;
- Courts;
- Voluntary sector organisations;
- Approved organisations and people working with the Council;
- Emergency services;
- Individuals themselves;
- Relatives, guardians or other persons associated with the individual;
- Healthcare, social and welfare advisers or practitioners;
- Education establishments;
- Professional advisors;
- Employees and agents of BCBC;
- Persons making an enquiry or complaint;
- Loss Adjusters
- External claims handlers
- Witnesses

- Medical consultants and GPs
- Research companies providing legally available information from the internet;
- The media;
- Data Processors working on behalf of BCBC;
- Information openly available on the internet;
- Other departments within the Council.

BCBC may also obtain personal data from other sources such as its own CCTV systems, or correspondence.

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

Please see the Bridgend County Borough Council Corporate Fair Processing statement on the Council's website.

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

Please see the Bridgend County Borough Council Corporate Fair Processing statement on the council's website.

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

We sometimes need to share information with the individuals we process information about and other organisations. Where this is necessary we are required to comply with all aspects of the legislation. What follows is a description of the types of organisations we may need to share some of the personal information that we process with for one or more reasons:

- Family, associates or representatives of the person whose personal data we are processing
- Educators
- Ombudsman and regulatory services
- Professional advisers and consultants
- Courts
- Trade unions
- Police forces
- Data processors
- Courts
- Partner agencies, approved organisations and individuals working with the police
- Press and the media
- Law enforcement and prosecuting authorities
- Local and national fraud initiatives
- Legal representatives, defence solicitors
- External claim handlers
- Barristers
- Loss Adjusters
- Insurance Brokers and Insurers
- Auditors

## 8. What are your rights in relation to your personal data which is handled by BCBC?

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 it 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.

## **9. How long does BCBC retain personal data?**

The Insurance and Risk Section of BCBC keeps personal data for 7 years following closure of its file in accordance with the Council's Data Retention Policy. Files for Minors are kept until they have reached the age of 21 years and 4 months.

## **10. The lawful basis on which we use your personal data**

The legal basis allowing us to process your data will vary depending on your specific claim or enquiry but will be predominantly used where we need to process your information so an insurance claim can proceed. We will process your data:

- a. With consent;
- b. Where it is in the public interest to do so;
- c. Where it is in the legitimate interest of the Council to do so; for example where there may be a risk to public health and safety; and
- d. For compliance with a legal obligation.

## **11. Contact Us**

Any individual with concerns over the way BCBC handles their personal data may contact the Data Protection Officer at the Council 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)  
Telephone 01656 643565

You can also raise concerns with the Information Commissioner. The Information Commissioner can be contacted at: Information Commissioner's Office – Wales 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)  
Website: <https://ico.org.uk/>