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1. Processing personal data privacy notice

London Borough of Newham ('the Council' or 'we' or 'us' or 'our') are dedicated to safeguarding and respecting your privacy in accordance with relevant data protection laws. Our aim with this Privacy Notice is to be as transparent as possible, explaining how we ensure the security and processing of your personal data.

This Privacy Notice relates to individuals who interact with us, either by applying for or receiving our services. It applies to both residents and visitors of London borough of Newham. This also includes information we gather through our website and other means of communication with us.

The Privacy Notice clarifies the collection, usage, and sharing of your information, as well as the duration of its retention and the measures we take to keep it secure.

For specific services or functions we provide, there may be separate Privacy Notices available.

These detailed Privacy Notices provide comprehensive information on how we use your data and the legal basis for its use in relation to that service or function.

London Borough of Newham's registered office is at Newham Dockside, 1000 Dockside Road, London E16 2QU and acts as the Data Controller.

Our designated Data Protection Officer for the organisation is Alexandra West and we can be contacted at:

Newham Dockside
1000 Dockside Road
London
E16 2QU

Or via email: dpo@newham.gov.uk

We may collect and process personal data about you in order to comply with any legal or statutory obligations, or in order to enforce or apply our contracts with you or where you have consented to the processing. This includes, but is not limited to, information you or your legal representative provide:

- When you/they contact us in person, on our website, over the telephone, by e-mail or by post

- When you apply for a job vacancy with us
- When you receive a service from us
- to adhere with our law enforcement functions
- to allow us to communicate effectively with you and provide services appropriate to your needs.

Preventing and detecting fraud against the Council

Newham Council carries out checks to prevent and detect fraud. If fraud is detected, you could be refused certain services, finance or employment.

We may share information provided to it with other bodies responsible for auditing or administering public funds, law enforcement agencies, or undertake local anti-fraud initiatives, in order to prevent and detect fraud or money laundering. The personal information we have collected from you will be shared with fraud prevention agencies. Further details of how your information will be used by us, fraud prevention agencies, and your data protection rights can be found on our website and [Cifas](#).

2. How we use your personal data

The Council takes your privacy very seriously and will never disclose, share your personal data without your knowledge, unless required to do so by law.

We only retain your data for as long as is necessary and for the purposes specified in this notice. Where you have consented to us processing your personal data, you are free to withdraw consent at any time.

The purposes and reasons for processing your personal data are detailed below:

- Ensure that content from our website is presented in the most effective manner for you and for your computer/device
- Verify your identity
- Ensure the data we hold about you is accurate and up to date
- To process job applications
- Deliver services and support to you
- Manage those services we provide to you
- Investigate and respond to complaints
- Train and manage the employment of our workers who deliver those services
- Help investigate any worries or complaints you have about your services

- Keep track of spending on services
- Check the quality of services
- To help with research and planning of new services
- Notify suppliers and local authorities about your new property and about any property we have purchased from you in part exchange
- Provide you with information, products or services that you request from us
- Notify you about changes to our services
- To support and maintain our network, systems and applications
- Manage and support the Mayor and Councillors enquiries
- To comply with legal obligations to process and share data with government agencies, statutory bodies, police and health
- To comply with contractual arrangements to provide services for the Council
- To comply with security requirements.

There are a number of legal reasons why we need to collect and use your personal information.

Generally we collect and use personal information where:

- You, or your legal representative, have given consent
- You have entered into a contract with us
- It is necessary to perform our statutory duties
- It is necessary to protect someone in an emergency
- It is required by law
- It is necessary for employment purposes
- It is necessary to deliver health or social care services
- You have made your information publicly available
- It is necessary for legal cases
- It is to the benefit of society as a whole
- It is necessary to protect public health
- It is necessary for archiving, research, or statistical purposes.

If we have consent to use your personal information, you have the right to remove it at any time.

If you want to remove your consent, [submit a request details form](#) or email InformationRightsTeam@newham.gov.uk and tell us which service you're using so we can deal with your request.

We only use what we need

Where we can, we'll only collect and use personal information if we need it to deliver a service or meet a requirement.

If we don't need personal information we'll either keep you anonymous if we already have it for something else or we won't ask you for it. For example in a survey we may not need your contact details, we'll only collect your survey responses.

If we use your personal information for research and analysis, we'll always keep you anonymous or use a different name unless you've agreed that your personal information can be used for that research.

3. Sharing and disclosing your personal information

We do not share or disclosure any of your personal information without your consent, other than for the purposes specified in this notice or where there is a legal requirement. The Council uses third-parties to provide the below services and business functions, however all processors acting on our behalf only process your data in accordance with instructions from us and comply fully with this privacy notice, the data protection laws and any other appropriate confidentiality and security measures.

We may disclose your information to third parties if we are under a duty to disclose or share your personal data in order to comply with any legal obligation, or in order to enforce or apply our contracts with you; or to protect our rights, or our safety and/or the safety of our service users, or others.

We may also disclose your information to our suppliers and contractors to provide information to you on our behalf and/or in order to fulfil our legal and statutory obligations.

We will share your personal information with suppliers of services in respect of any service you receive from us. This may include using the services of a Credit Reference Agency.

We will share your personal information with suppliers of services in respect of any service you receive from us.

We will share your information with relevant government agencies where it is necessary or we have a legal obligation to do so.

We do not sell your information to anyone else.

Your personal data is not transferred outside the EEA unless it is necessary and in compliance with the requirements of data protection law.

4. How long we keep your data

The Council only ever retains personal information for as long as is necessary and we have retention policies in place to meet these obligations. We are required under some laws or regulations to retain your personal data for a set period of time for example. Where there is nothing laid down by law we will make a business decision, taking into account the necessity of the processing in order to define the retention period.

Where you have consented to us using your details, we will keep such data until you notify us otherwise and/or withdraw your consent.

5. Your rights

The right of access to your information

You have the right to access any personal information that the Council processes about you and to request information about:

- What personal data we hold about you
- The purposes of the processing
- The categories of personal data concerned
- The recipients to whom the personal data has/will be disclosed
- How long we intend to store your personal data for
- If we did not collect the data directly from you, information about the source.

You can send a request to access your information by [completing this form](#) or by emailing InformationRightsTeam@newham.gov.uk

Right to be informed

This general privacy notice is an example of how we keep you informed. The right to be informed under the UK GDPR tells us that we must be transparent in telling you what we do with your personal data. This is referred to as 'privacy information' in articles 13 and 14 of UK GDPR.

The right to have inaccurate data corrected (Right of rectification)

If you believe that we hold any incomplete or inaccurate data about you, you have the right to ask us to correct and/or complete the information and we will strive to update/correct it as quickly as possible; unless there is a valid reason for not doing so, at which point you will be notified.

You should let us know if you disagree with something written on your file.

We may not always be able to change or remove that information but we'll correct factual inaccuracies and may include your comments in the record to show that you disagree with it.

The right to erasure (or be forgotten)

Under Article 17 of the UK GDPR individuals have the right to have personal data erased. This is also known as the 'right to be forgotten'

In some circumstances you can ask for your personal information to be deleted, for example:

- Where your personal information is no longer needed for the reason why it was collected in the first place
- Where you have removed your consent for us to use your information (where there is no other legal reason us to use it)
- Where there is no legal reason for the use of your information
- Where deleting the information is a legal requirement.

Where your personal information has been shared with others, we'll do what we can to make sure those using your personal information comply with your request for erasure.

Please note that we can't delete your information where:

- We're required to have it by law
- It is used for freedom of expression
- It is for public health purposes
- It is for scientific or historical research, or statistical purposes where it would make information unusable
- It is necessary for legal claims.

The right to limit what we use your personal data for

Article 18 of the UK GDPR, you have the right to ask us to restrict what we use your personal information for where:

- You have identified inaccurate information, and have told us of it, and
- Where we have no legal reason to use that information, but you want us to restrict what we use it for rather than erase the information altogether

When information is restricted it can't be used other than to securely store the data and with your consent to handle legal claims and protect others, or where it's for important public interests of the UK.

Where restriction of use has been granted, we'll inform you before we carry on using your personal information.

You have the right to ask us to stop using your personal information for any Council service. However, if this request is approved this may cause delays or prevent us delivering that service.

Where possible we'll seek to comply with your request, but we may need to hold or use information because we are required to by law.

Right to object

Article 21 of the UK GDPR, you possess the right to raise an objection if LBN processes your personal data. This grants you the ability to halt or hinder the organisation's usage of your data. Nevertheless, this right is applicable only under specific circumstances, and LBN may be exempt from stopping the data processing if they can provide compelling and valid reasons to continue its use.

Rights related to automated decision-making including profiling

You have the right to not be subject to a decision based solely on automated processing. Processing is "automated" where it is carried out without human intervention and where it produces legal effects or significantly affects you. Automated processing includes profiling.

The right to move your personal data to another provider (data portability)

You have the right to ask for your personal information to be given back to you or another service provider of your choice in a commonly used format. This is called data portability.

However, this only applies if we're using your personal information with consent (not if we're required to by law) and if decisions were made by a computer and not a human being.

It's likely that data portability won't apply to most of the services you receive from the Council.

You can ask to have any computer made decisions explained to you, and details of how we may have 'risk profiled' you.

You have the right to question decisions made about you by a computer, unless it's required for any contract you have entered into, required by law, or you've consented to it.

You also have the right to object if you are being 'profiled'; where your personal information is used to make more informed decisions about things that affect you.

If and when the Council uses your personal information to profile you, in order to deliver the most appropriate service to you, you will be informed.

If you have concerns regarding automated decision making, or profiling, please contact the Data Protection Officer who'll be able to advise you about how we using your information.

If we receive a request from you to exercise any of the above rights, we may ask you to verify your identity before acting on the relevant request; this is to ensure that your data is protected and kept secure.

Where you have consented to us using your details, you can also contact us to withdraw that consent at any time by, [completing this form](#), by telephone or email to InformationRightsTeam@newham.gov.uk

Our communications with you

We try to ensure that our communications are as effective as possible so that we make the best use of the money we spend on them. This means communicating with people in different ways, appropriate to them.

On occasion, we will use information you have given us directly, to tailor our communications with you about future activities. We will also use information about how you use our website or interact with our emails so we can make them more effective.

6. Lodging a complaint

The Council only processes your personal information in compliance with this privacy notice and in accordance with the relevant data protection laws. If, however you wish to raise a complaint regarding the processing of your personal data or are unsatisfied with how we have handled your information, you have the right to lodge a complaint with the supervisory authority (the Information Commissioners Office).

London Borough of Newham

Data Protection Officer
Newham Dockside
1000 Dockside Road
London
E16 2QU

GDPR-dataprotection@onesource.co.uk

Information Commissioners Office

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745

- ICO Newham Council registration number: Z5808736
- ICO Newham Registrar of Births Marriages & Deaths number: Z9296333
- ICO Newham Electoral Services number: Z9256281

When you make use of a service with the Council, the personal data you provide is required for statutory reasons, legal reasons, contractual reasons or we have gained your consent.

You are not obligated to provide your personal information to the Council, however, as this information is required for us to provide you with our services, unless you withdraw your consent, if obtained, we will not be able to offer our full range of services without it.

7. Safeguarding measures

The Council takes your privacy seriously and we take every reasonable measure and precaution to protect and secure your personal data. We work hard to protect you and your information from unauthorised access, alteration, disclosure or destruction and have several layers of security measures in place both technically and by means of training and policies. The Council also has annual independent technical health checks and system audits.

Shared Service

OneSource is a shared back office support service for Havering, Newham and Bexley Councils. We provide a shared service solution covering a range of transactional, operational and strategic services. There is a data sharing agreement between the Councils to share resources. OneSource services includes HR, Finance, Payroll, Legal, Facilities Management and ICT.

Use of 'cookies'

The Council's website uses cookies. 'Cookies' are small pieces of information sent by an organisation to your computer and stored on your hard drive to allow that website to recognise you when you visit. They collect statistical data about your browsing actions and patterns and do not identify you as an individual. For example, we use cookies to analyse and track how you interact with our website and portal. This helps us to improve our website and deliver a better more personalised service.

Links to other websites

Our website may contain links to other websites run by other organisations. This privacy policy applies only to our website, so we encourage you to read the privacy statements on the other websites you visit. We cannot be responsible for the privacy policies and practices of other sites even if you access those using links from our website.

In addition, if you linked to our website from a third party site, we cannot be responsible for the privacy policies and practices of the owners and operators of that third party site and recommend that you check the policy of that third party site.

Transferring your information outside of Europe

On exceptional occasions we transfer data outside of the UK and Europe. The information which you provide to us may be transferred to countries outside the European Union ("EU"). By way of example, application support, the use of a hosted solution or a social care matter. If data is hosted or transferred we ensure that the council is compliant with the data protection laws and that there is adequate and appropriate protection of the data.

As the UK will be subject to Article 45 of the GDPR, data transfers will only be permissible if we comply with one of the following:

1. Transfers will be permissible if the country is approved to have an adequate level of data protection and formally accepted as an 'adequate' third country
2. Transfers can be made if the UK makes use of model contractual clauses (approved by the European Commission and/or the relevant Supervisory Authority)
3. Transfers can be made if the UK makes use of ad-hoc contractual clauses (approved by the relevant Supervisory Authority)
4. Transfers may be made on the basis of approved codes of conduct/approved certification mechanisms; or Supervisory Authority agreed binding corporate rules (BCRs) may be used to transfer data to/from the UK, when dealing with transfers between organization within a corporate group (probably not applicable to Councils).

8. National Data Opt-Out

The National Data Opt-Out service was introduced as part of the National Health Service (NHS) in the UK. It replaced the previous "Type 2" opt-out and came into effect on 25 May 2018, in accordance with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

The national data opt-out applies to data for patients/clients where their care is provided in England by a publicly funded organisation or the care has been arranged by a public body such as the NHS or a Local Authority.

By using the National Data Opt-Out service, individuals can choose to prevent their confidential patient information from being used for research or planning purposes, such as improving healthcare services or conducting medical research.

There are instances where we may be required to disclose confidential information about you with organisations across the health and social care system in England for purposes beyond your direct care:

- research into the improvement of new treatments
- plan services
- improve the value and standards of care delivered
- monitor safety
- avoid illness and diseases.

To opt out, individuals can visit the official National Data Opt-Out website nhs.uk/your-nhs-data-matters or by calling the helpline 0300 303 5678. They will be provided with options to select what types of data they want to opt out of sharing. The service applies to confidential patient information held within the NHS in England.

If you are happy for your data to be extracted and used for purposes described in this Privacy Notice, then you will not need to do anything.

Please note you can change your mind on this at any time. The Council will respect your decision unless we are not legally obliged to do so.