

# Office of the Police and Crime Commissioner for Surrey

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## Privacy Notice

This privacy notice has been compiled to better serve those who are concerned with how their 'Personal Information' is being used by the Office of Police and Crime Commissioner for Surrey. It also helps us meet our responsibilities for data protection, including the General Data Protection Regulation (GDPR) and the Data Protection Act 2018. Personal Information is information that can be used on its own or with other information to identify, contact, or locate a single person, or to identify an individual in context. Please read this Privacy Notice carefully to get a clear understanding of how we collect, use, protect or otherwise handle your personal information.

We receive your personal information for two main purposes:

- To enable us to do the job of the PCC, within the role and remit and power of the PCC. This includes helping people within with PCC policies and procedures, duty or responsibility within the law.
- To enable us to provide services within the role and remit of the PCC.

We can lawfully process personal data under any one or more of the following reasons:

- Compliance with a legal obligation and exercising specific rights relating to controller and data subject
- Consent
- Contract
- Legitimate interests
- Necessary to protect vital interests
- Public Task

The PCC's main statutory function is set out in the following legislation:

**Lawful basis:**

- Elected Local Policing Bodies (Specified Information Order 2011 and amendment order 2012, S1 2012 / 2479)
- Employment Rights Act 1996
- Freedom of Information Act 2000
- Local Authorities (Goods & Services) Act 1970
- Local Government & Finance Act 1988 Sec 112 & 114
- Local Government & Housing Act 1989 (S155)
- Police & Social Responsibility Act 2011
- Police Act 1996
- Police Pension Fund Regulations 2007
- Police Pensions Act 1976
- Police Reform Act 2002
- The Accounts and Audit Regulations 2011
- The Equality Act 2010

**Contact:**

When you contact our office we may collect information on your name, address, e-mail address, telephone number and the reasons why you are contacting us. If you contact us via social media (e.g. Facebook, Twitter etc.) we may ask you to contact us via email or telephone to enable us to collect the relevant data from you.

We may use the information we collect from you in the following ways:

- To follow up with you after correspondence (email, letter or phone enquiries)
- To allow us to better service you in responding to your enquiries
- To send periodic emails regarding our commissioned services that you expressed an interest in
- To improve our website in order to better serve you
- To respond to surveys
- To process any complaints received about the Chief Constable, PCC or member of Office of the Police and Crime Commissioner (OPCC) staff

- To send you newsletters and other updates

We collate information on a database held in the Office of the Police and Crime Commissioner for Surrey. This database is not shared with any other organisation. Your personal data with regard to an individual enquiry may be shared with Surrey Police, or a partner organisation. If you wish to withdraw your consent, please contact our office on the contact detail at the bottom of this document.

### **How do we protect your information?**

We commit to keeping your personal data securely, and in compliance with the Data Protection Act and GDPR. Our data retention policy can be found on the OPCC website.

### **Passing your information to another organisation?**

The Commissioner and his staff team will sometimes need to share information received with Surrey Police or possibly another partner organisation, to enable the Commissioner to respond directly to an enquiry, or where it is a matter for the Force to deal with, for them to respond directly. When contacting us by email you will be informed of this by an automated response, if you have contacted us verbally or in writing you will be informed. Your query or concern may be the responsibility of an organisation other than Surrey Police or the PCC, e.g. a local council. In this case we will advise you to contact them direct or seek your consent to pass your information over to the correct organisation.

### **Third-party disclosure**

We do not sell, trade, or otherwise transfer to outside parties your Personal Information. We may use a third party provider to collect data when we are running events. We may also release information when its release is appropriate to comply with the law, enforce our policies, or protect ours or others' rights, property or safety.

### **Third-party links**

We do not include or offer third-party products or services on our website.

### **Protection of children**

We do not specifically aim our website or contact forms at children under the age of 13 years old. We would advise that a parent or guardian contact us on behalf of a child if required.

## **Rights of Access**

Under Data Protection laws, you have a statutory right to have access to personal data we hold about you.

You have the right to obtain:

- Confirmation that your data is being processed;
- Any available information as to its origin;
- Access to your personal data held.

We will usually provide the information requested free of charge. However, under some circumstances, such as an excessive request or multiple requests for the same information, we may require you to pay a reasonable fee based on the administrative cost of providing the information. On receiving your request, we will advise you should this apply and how much the fee will be.

You also have the right to:

- Have your data corrected, for example if it is inaccurate or incomplete;

And in some circumstances, the right to:

- Have your data deleted or removed, for example where there is no compelling reason for its continue processing;
- Restrict the processing of your data.

More information about Data Protection and your rights can be found on the Information Commissioner's website <https://ico.org.uk/for-the-public/>

If you wish to apply for access to your personal data, restrict its processing, have it amended or removed, you should write to us enclosing a completed Rights of Access request form, and include proof of your identity. We need to be supplied with these details needed to locate the information you seek.

Children aged 13 or over are able provide their own consent, therefore they will be able to make their own Rights of Access request. For children under this age, you will need to provide proof of parental responsibility if you are requesting information on behalf of your child.

We will provide the information or deal with your request as soon as is practicable and at the latest within one calendar month of receipt of your request, unless your request is complex or you send a large number of requests. In which case we may need more time to provide the information, but we will inform you of this and explain why.

In some cases, we may not be able to comply with your request, for example if the request is either unfounded, excessive or repetitive. When we cannot comply with your request, we will explain why.

If you consider that your request for access, deletion or restriction of your personal data has not been dealt with correctly you can contact the Information Commissioner via their website: [www.ico.org.uk](http://www.ico.org.uk) or you can write to the Commissioner at the following address:

Office of the Information Commissioner,  
Wycliffe House,  
Water Lane,  
Wilmslow,  
Cheshire, SK9 5AF.

The information commissioner is empowered to assess whether there has been a failure to comply with Data Protection laws. The commissioner can issue enforcement proceedings if satisfied that there has been a contravention of the data protection principles. The commissioner can also recommend that you apply to court alleging a failure to comply with the provisions of the laws. The court may make an order requiring compliance with those provisions and may also award compensation for any damages you have suffered as well as any associated distress.

### **Information where the PCC for Surrey is not the data controller**

In many cases, it is the Chief Constable of police and not the Police and Crime Commissioner (PCC) who holds personal information with regard to crime recording and complaints. To contact Surrey Police please visit the Surrey Police website at:

<https://surrey.police.uk/about-us/your-right-to-information/information-about-you/data-protection/>

Or e-mail Surrey Police on: [informationmanagement@surrey.pnn.police.uk](mailto:informationmanagement@surrey.pnn.police.uk)

### **Data Breaches**

All data breaches will be notified to the ICO within 72 hours.

### **Contacting Us**

The Data Controller for the Surrey OPCC is PCC David Munro. He has instructed that the OPCC Chief Executive, Alison Bolton, can take Data Control decisions on his behalf. The Chief Executive, Alison Bolton, is the nominated Data Protection Lead Officer.

The Data Protection Officer for the OPCC is Kelly Thornton, this is a shared role with Surrey Police.

To contact us please phone, e-mail or write to us at:

Police and Crime Commissioner  
Office of the Police & Crime Commissioner for Surrey  
PO Box 412  
Guildford  
Surrey  
GU3 1YJ

Telephone: 01483 630 200

Email: [Surreypcc@surrey.pnn.police.uk](mailto:Surreypcc@surrey.pnn.police.uk)