

DATA PROTECTION POLICY

Version 2.0
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01/10/2013	V 0.1	Document created incorporating content in the older document.	Jeremy Tuck
29/10/2013	V 0.2	Incorporated comments from Marsha White	Jeremy Tuck
09/12/2013	V 0.3	Corrected the distribution group to 'working group'. Incorporated further comments and changes made throughout the document.	Jeremy Tuck
04/02/2014	V 0.4	Included an inclusion for contacting Jules Spain on request for information. This followed discussion with Matthew Szostak	Jeremy Tuck
12/03/2014	V 0.5	Consolidated the public document with comments following discussion with Jules Spain. Removed FPN statement.	Jeremy Tuck
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Greenwich

I Purpose

This document sets out the policy under which the Royal Borough of Greenwich processes personal data. The policy is applicable to the Royal Borough of Greenwich employees, contractors, services providers and other organisations or agencies working for or on behalf of the Royal Borough.

2 Overview

The Royal Borough of Greenwich needs to collect personal information about people with whom it deals with, in order to carry out its business and provide its services. Such people include customers, employees (present, past and prospective), suppliers and other business contacts.

The Data Protection Act 1998 has remained largely unchanged since the start of the millennium. The EU's General Data Protection Regulation (GDPR) will apply from 25 May 2018, when it supersedes the UK Data Protection Act 1998.

The definition of personal data has been expanded to reflect the importance of individual's online interaction. In particular, online identifiers, device identifiers, cookie IDs and IP addresses are now all expressly included in the definition of personal data.

It expands the rights of individuals to control how their personal information is collected and processed, and places a range of new obligations on organisations to be more accountable for data protection.

3 What is Personal Data?

The definition of personal data for the purposes of the applied GDPR means 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 the possession of, or likely to come into the possession of, the Royal Borough. 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.

4 Data Protection Principles

The Royal Borough will comply with the seven Data Protection Principles as set out in the GDPR in relation to personal data that the Royal Borough processes.

Personal Data shall be:

1. processed lawfully, fairly and in a transparent manner in relation to individuals;
2. collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
3. adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
4. accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
5. kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals; and
6. Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.”
7. The controller shall be responsible for, and be able to demonstrate compliance with, paragraph 1 (‘accountability’).

5 Meeting Our Responsibilities

The Royal Borough will:

- Demonstrate compliance with all the Data Protection Principles
- Ensure there is a designated Data Protection Officer who shall perform the tasks set out in the GDPR and shall in the performance of his or her tasks have due regard to the risk associated with processing operations, taking into account the nature, scope, context and purposes of processing.
- Provide awareness for all staff involved in processing personal information
- Provide clear lines of report and supervision for compliance with Data Protection
- Maintain a record of processing activities
- Carry out regular checks to monitor compliance

- Implement measures that meet the principles of data protection by design and data protection by default. Measures could include:
 - Data minimisation;
 - Pseudonymisation;
 - Transparency;
 - Allowing individuals to monitor processing; and
 - Creating and improving security features on an ongoing basis.
 - Complete data protection impact assessments where appropriate to comply with data protection obligations and meeting individuals' expectation of privacy'.

6 Individual Rights

Individual Rights under the GDPR encompasses the following rights to individuals

- The right to be informed - To provide 'fair processing information', typically through a privacy notice. Being transparent to all our customers on how we processing their personal data.
- The right of access - Individuals have the right to access their personal data and supplementary information. The right of access allows individuals to be aware of and verify the lawfulness of the processing.
- The right to rectification – Giving individuals the right to have personal data rectified if it is inaccurate or incomplete.
- The right to erasure - also known as 'the right to be forgotten'. The broad principle underpinning this right is to enable an individual to request the deletion or removal of personal data where there is no compelling reason for its continued processing.
- The right to restrict processing - Individuals right to 'block' or suppress processing of personal data. When processing is restricted, the council are permitted to store the personal data, but not further process it. We can retain just enough information about the individual to ensure that the restriction is respected in future.
- The right to data portability - The right to data portability allows individuals to obtain and reuse their personal data for their own purposes across different services. It allows them to move, copy or transfer personal data easily from one IT environment to another in a safe and secure way, without hindrance to usability.
- The right to object – where processing is based on legitimate interests or the performance of a task in the public interest/exercise of official authority (including profiling); direct marketing (including profiling); and processing for purposes of scientific/historical research and statistics
- Rights in relation to automated decision making and profiling – automated individual decision-making (making a decision solely by automated means without any human involvement); and profiling (automated processing of personal data to evaluate certain things about an individual). Profiling can be part of an automated decision-making process.

Royal borough Greenwich will ensure individual rights are exercised by through efficient procedures, processes and systems.

If a Request is received in relation to a data subject's rights (including the right to rectification, erasure, restriction, object or data portability) the Request must be referred to the Corporate Data Guardian at data.protection@royalgreenwich.gov.uk for logging and processing.