

## **PN006 – LEGAL SERVICES PRIVACY NOTICE**

Torfaen County Borough Council is committed to protecting your privacy when you use our services. This Privacy Notice is designed to give you information about the data we hold about you, how we use it, your rights in relation to it and the safeguards in place to protect it.

|                             |   |
|-----------------------------|---|
| <b>TCBC Service Area:</b>   | Resources   |
| <b>Work area:</b>           | Legal Services  |
| <b>Contact Details:</b>     | Legal Services,<br>Torfaen County Borough Council, Civic<br>Centre, Pontypool, NP46YB<br><a href="mailto:LegalTeam@torfaen.gov.uk">LegalTeam@torfaen.gov.uk</a> |
| <b>Privacy Notice Name:</b> | Legal Services  |

### **Data Controller:**

**Torfaen County Borough Council**  
**C/o Civic Centre**  
**Pontypool**  
**NP4 6YB**

If you wish to raise a concern about the handling of your personal data, please contact the **Data Protection Officer** using the details below:

**Tel: 01495 762200**

**Email: [dpa@torfaen.gov.uk](mailto:dpa@torfaen.gov.uk)**

**This Notice is for Individuals whose information is held by Legal Services for the proper handling of legal matters.**

### **1) Who provides your data to the Council?**

The personal information we process is provided to us directly by you to progress legal transactions.

We also receive personal information indirectly from:

- Service areas within the Council when they instruct us on legal matters.
- External organisations such as HM Land Registry, HM Court Service, UK Government, Welsh Government, other local authorities, Public Service Ombudsman for Wales, Probation Service, Law Firms, Conveyancing Firms, Health Board, Hospital, GP Surgery, Medical Centre / Clinic, School, Nursery.

- Publicly available sources such as social media and online registers

## **2) How does the Council collect this information:**

- Correspondence including letters, emails and shared through other electronic means
- Documents including paper and shared through other electronic means

## **3) What information does the Council collect about you?**

Legal Services collects information which is pertinent and relevant to the subject of and parties to legal transactions and proceedings. The type of information collected will vary depending on the area of law involved but can include:

- Name, address, date of birth, contact information (telephone and email where appropriate)
- National Insurance Number (where appropriate)
- Financial Information
- Lifestyle Information
- Medical Records including doctors name and address
- Social Care and Health Records
- Job title, job contract and employment Records
- Identification information and documentation
- Family information including ages, dependents and marital status
- Criminal Records
- DBS Record
- IP address
- Education
- Social Media accounts such as Facebook and Twitter

## **4) Why does the Council process your personal data?**

Under Article 6 of the UK General Data Protection Regulation (GDPR), the lawful bases we rely on for processing this information are:

- (c) We have a legal obligation.
- (e) We need it to perform a public task.

## **5) Special categories of personal data:**

We collect the following special category data:

- personal data revealing racial or ethnic origin
- personal data revealing political opinions

- personal data revealing religious or philosophical beliefs
- personal data revealing trade union membership
- data concerning health
- data concerning a person's sex life
- data concerning a person's sexual orientation

We collect this under Article 9 of the UK GDPR.

Where we collect criminal data this is processed within the Council under Article 10 of the UK GDPR.

## 6) **Who has access to your data?**

Your data is shared internally only with the appropriate staff where it is necessary for the performance of their roles.

Your data may also be shared externally with organisations for assistance in processing a legal transaction or proceedings or where it is required by law or to carry out a public task under an official function of the Council. These may include, but not be limited to:

- Healthcare, social and welfare organisations
- Educators and examining bodies
- Local and central government
- Ombudsman and regulatory authorities
- Courts and tribunals
- International law enforcement agencies and bodies
- Law enforcement and prosecuting authorities
- Police complaints authority
- The disclosure and barring service (DBS)
- Professional advisers and consultants
- Housing associations and landlords
- Private investigators
- Partner agencies, approved organisations and individuals working with the police
- Healthcare professionals
- Legal representatives and defence solicitors.

Apart from where previously stated, we do not pass your details to third parties unless we are lawfully required do so.

## **Is the Data transferred out of the UK?**

Generally, Legal Services will not process your personal data outside the UK. In exceptions Legal Services will ensure equivalent data protection controls are in place before any personal data is transferred.

## 7) **How does the Council keep your data secure?**

The Council has internal policies in place to ensure the data it processes is not lost, accidentally destroyed, misused or disclosed. Access to this data is restricted in accordance with the Council's internal policies and in compliance with the UK GDPR.

Data will be stored securely in:

- Paper filing systems
- Electronic case management systems

Where the Council engages third parties to process personal data on its behalf, they do so on the basis of written instructions. These third parties are also under a duty of confidentiality and are obliged to implement appropriate measures to ensure the security of data.

### **8) How long does the Council keep your data?**

The Council will hold your personal data only for the period that is necessary and will follow organisational and Local Authority standards in this area. At the end of the retention period the Council will securely destroy or dispose of the data in line with retention schedules.

### **9) Are we making automated decisions/profiling with your data?**

No

### **Your rights**

You have a number of Rights you can exercise:

- Access - to obtain a copy of your data on request
- Rectification – to require the Council to change incorrect or incomplete data
- Object, Restrict or Delete - under certain circumstances you can require the Council to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing
- Data portability – to receive and/or transmit data provided to the Council to other organisations (this applies in limited circumstances)
- Withdraw your consent at any time (where consent has been given)
- To know the consequences of failing to provide data to the Council
- To know the existence of any Automated Decision-making, including profiling, and the consequences of this for you.

- To lodge a complaint with a supervisory authority (Information Commissioners Office)

If you would like to exercise any of these rights, please contact:

[legalteam@torfaen.gov.uk](mailto:legalteam@torfaen.gov.uk)

The Information Commissioner can be contacted at: The Information Commissioner's Office (Wales), 2<sup>nd</sup> Floor, Churchill House, Churchill Way, Cardiff, CF10 2HH. Telephone 0330 414 6421 or e-mail [Wales@ico.org.uk](mailto:Wales@ico.org.uk).