

Privacy Notice for Open Spaces

Introduction

This notice is provided to meet the requirements of the UK General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA) to provide transparency in how we process personal data within the Information Governance service. This document will be subject to ongoing review to ensure it continues to align with the requirements of all applicable legislation.

Service description

This is a specific privacy notice on the collection and processing of personal data by Thanet District Council regarding open spaces maintenance or activities.

It is important that you read this notice, together with any other privacy information we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

What information we hold

To provide these services, we may need to process some personal data, including:

Allotments, memorial schemes, open space community groups and general enquiries:

- Name
- Email address
- Telephone number
- Postal address
- Tenancy information for those with an allotment
- Licence/lease information for community groups working on open spaces

In addition to the above, we may also hold the following information:

- Racial or ethnic origin
- Religious or philosophical beliefs
- Sexuality and sexual life
- Physical or mental health
- Criminal convictions and offences

We may process special category data and criminal offence data such as:

- Antisocial behaviour logs and complaints, including photos
- Complaints
- Telephone recordings

Where we get your information from

- Allotments application form
- Memorial schemes application form
- Accident form
- Provided during correspondence between the Council and yourself (or your representative)

How your information will be used

We collect your personal information for the following purposes:

- To manage contracts, leases and agreements relating to memorials and allotments and other concessions
- Manage the waiting list for allotments
- To investigate complaints against the Council including Ombudsman referrals
- Comply with the Council's health and safety and safeguarding procedures
- To carry out research and analysis to ensure our services are fair and meet the needs of all residents.

Lawful basis for processing data under GDPR

The conditions that we use to process your personal information are:

Public task: the processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law such as under the:

- Open Spaces Act 1906 (acquisition and maintenance)
- Allotments Acts 1922 and 1950
- Local Government (Miscellaneous Provisions) Act 1976 (dangerous trees)

Some of the information that is collected and shared is classified as:

- Special category personal data such as related to health where processing is necessary for the reasons of substantial public interest
- Criminal convictions and offences (including alleged offences) where processing is necessary for reasons of substantial public interest

Alternatively, where you have given consent for us to process your personal data for the specific purposes as listed above.

Who we will share your information with

We may share and receive personal information about you with the following:

- Other internal council departments
- Third parties that you have authorised to represent you
- The Local Government Ombudsman

- Other Local Councils
- The Magistrates' Court
- Health and Safety Executive

How long do we keep your personal information?

The Council will only keep your personal data for as long as it is required to fulfil the purpose it was collected for or for as long as is required by legislation.

What security precautions are in place to protect the loss, misuse or alteration of your information?

We are strongly committed to data security and will take reasonable and appropriate steps to protect your personal information from unauthorised access, loss, misuse, alteration or corruption. We have put in place physical, electronic, and managerial procedures to safeguard the information you provide to us. However, we cannot guarantee the security of any information you transmit to us. We recommend that you take every precaution to protect your personal information.

Your data protection rights

The Data Protection Act 2018 in conjunction with the General Data Protection Regulation (GDPR) grants you a number of other rights:

- **Your right of access** - You have the right to ask us for copies of your personal information.
- **Your right to rectification** - You have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.
- **Your right to erasure** - You have the right to ask us to erase your personal information in certain circumstances.
- **Your right to restriction of processing** - You have the right to ask us to restrict the processing of your personal information in certain circumstances.
- **Your right to object to processing** - You have the right to object to the processing of your personal information in certain circumstances.
- **Your right to data portability** - You have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances.

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

You have the right to request information that is held about you and this is known as the 'right of subject access'. Making a request for your personal information is known as a 'Subject Access Request'. You are entitled to receive a copy of your records free of charge and within a month.

For more information on how we process your personal information and how to make a subject access request, please visit <https://www.thanet.gov.uk/privacy-statement>

Please note that in certain circumstances access to your records may be limited, for example, if the records you have asked for contain information relating to another person. You also have the right to rectify errors in your records, the right to withdraw consent given to process your data, and the right to have your data erased when you have withdrawn consent.

If you wish to exercise any of these rights, you should contact the Data Protection Officer using the contact details provided below. You have the right to be told if we have made a mistake whilst processing your data and we may self-report breaches to the Information Commissioner.

Further information

If you would like to know more about how we use your information or to exercise any of your rights, please contact the Data Protection Officer (DPO) at Thanet District Council:

Data Protection Officer
Thanet District Council
Cecil Street
Margate
CT9 1XZ

Email: dataprotection@thanet.gov.uk

Tel: 01843 577 000

How do I complain?

You also have the right to complain to the Information Commissioner's Office, at:

The Information Commissioner
Wycliffe House,
Water Lane, Wilmslow,
Cheshire SK9 5AF

Phone: 0303 123 1113 or 01625 545745

Website: www.ico.org.uk