

## Anti-Social Behaviour Team

### Privacy Statement

Anti-Social Behaviour Community Safety team collects information about you primarily to address complaints of anti-social behaviour and enforce breaches of tenancy agreements, information is also collated in the interest of public safety, addressing community safety and crime concerns and to reduce re-offending. We also have a privacy statement for Community Safety and Housing together with a generic statement for the Council, visit [www.bolsover.gov.uk](http://www.bolsover.gov.uk) for further information.

### What information do we collect?

We collect, store and process personal data relating to victims, perpetrators, witnesses and other individuals concerned as necessary to provide our services and carry out our statutory functions. These include:

- To record, investigate and resolve complaints of anti-social behaviour
- Deploying cameras to tackle anti-social behaviour
- To assist in the community [trigger](#) review process
- Undertaking enforcement and prosecution measures under Anti-Social Behaviour legislation for example:
  - Public spaces protection orders
  - Issuing and monitoring of Community Protection Warning and Community Protection Notices
  - Closure notices
- Attendances at multi-agency meetings
- Holding Anti-Social Behaviour Tasking Group meetings
- Hate Crime reporting and monitoring

We may also collect information when you complete customer surveys, provide feedback and participate in competitions.

The personal information collected will vary according to the service being requested or used. The list below covers the main types of personal information we collect:

- Full name
- Date of birth
- National Insurance number (your unique identifier)
- Address
- Contact Details (phone, email or correspondence address) including contact preference and any requirements for alternative communication formats based on need
- Details of anyone authorised to act on your behalf if applicable
- Details of all household residents – including children see below
- Criminal records
- Electronic images including photographs of individuals when issuing Anti-Social Behaviour Contracts and Criminal Behaviour Orders
- CCTV images

- Video images and audio recordings from body worn video (BWV) – devices worn by designated officers for specified purposes for example prevention/detection of crime including anti-social behaviour, public and personal safety
- Disabilities or vulnerability. We use this information to ensure the service we provide meets your particular circumstances and needs. We may use this information for safeguarding of staff
- Sex, ethnicity, employment status, gender, relationship status, sexuality, nationality as required for the investigation of anti-social behaviour, or for statistical purposes
- Immigration status
- Facebook and other social media information
- Descriptions and details of perpetrators
- Witness details and statements
- Other personal information that will vary on a case by case basis to help us resolve alleged anti-social behaviour, domestic violence or other cases

We endeavour to collect only the personal information that we need for the purpose it has been provided for.

### **Children's information**

Children's information will be used if they are the victims, witnesses or perpetrators of anti-social behaviour.

When required a child's image will be taken and used for the publication of Criminal Behaviour Orders and also recorded on the Empowering Communities Inclusion and Neighbourhood Management System (ECINS). A child's image may also be recorded when they are issued with an Acceptable Behaviour Contract however these are only taken with the parent's consent and recorded on the ECINS system. The Council is a signatory to an information sharing agreement for ECINS.

The information in the relevant parts of this statement applies to children as well as adults.

### **CCTV**

We use cameras on the [CAN](#) Ranger vans and re-deployable cameras (recording devices that can be moved, installed and used for a specific purpose and timeframe) to record visual images electronically to help us discharge our duties namely:

- Prevention and detection of crime and anti-social behaviour.
- Assist in identifying, apprehending and prosecuting offenders
- Provide a deterrent effect and reduce criminal and anti-social behaviour activity

We adhere to the Information Commissioner's Office (ICO) [code](#) of practice for surveillance cameras and personal information and the Home Office's Surveillance Camera [Code](#) of Practice.

Where re-deployable cameras are deployed there will be signs clearly displayed of their installation. There is also signage on the CAN Ranger vans.

## **Body Worn Video (BWV)**

We will shortly be introducing devices which can record video images including audio (speech). These devices will be worn by designated staff in front line service areas - Housing, Community Safety and Environmental Health and used to:

- Protect staff and residents
- Protect premises and other assets
- Undertake enforcement action, including tenancy management
- Increase personal safety and reduce the fear of crime
- Reduce incidents of violence and aggression to staff members
- Support the Police in reducing and detecting crime
- Assist in identifying, apprehending and prosecuting offenders
- Provide a deterrent effect and reduce criminal and anti-social behaviour activity

A data protection impact assessment has been undertaken which will be updated during the procurement and implementation stages. Staff guidance and training will be provided before the system goes live.

### **How will we use the information?**

The information we collect will be used for the purposes specified to tackle anti-social behaviour and reduce crime and disorder.

We use the information to provide our services to individuals and to discharge our statutory duties. Very often at the time of providing the information it will be obvious to you how we intend to use the information, e.g. investigate a complaint of anti-social behaviour that you have reported, serve a Fixed Penalty Notice for failing to adhere to the conditions of a public spaces protection order.

We will make information available to you about how we use your personal information. This privacy statement is one important way of providing this information.

Other ways include

- Orally – face to face or when you speak to someone on the telephone
- In writing on forms leaflets and publications e.g. council newspaper
- Electronically in emails, on websites in text messages
- Through signage – notices regarding CCTV

When we collect sensitive and/or important information from you we will actively tell you about how it will be used at the point of collection.

Your information will be used to provide the service that you have requested and to discharge our statutory duties. It will not be used for any other purpose unless we have agreed this with you. The only exception to this would be if we were required by law to provide your personal data.

Personal information collected or received about individuals from third parties e.g. perpetrators will be used as necessary to discharge our statutory duties.

If not providing your personal information to us has possible consequences then we will tell you this for example, not being able to investigate a complaint, result in enforcement action being taken.

## **Legal basis for processing**

The law requires us to have a lawful basis for processing data.

The processing is necessary for the Anti-Social Behaviour team to perform tasks in the public interest and in undertaking our official functions. This is known as **public task** under the General Data Protection Regulation (GDPR) e.g. to reduce crime and disorder. The task or function must also have a clear basis in law. The legal basis for our public task processing is contained within the legislation below:

Housing Acts (in particular the 1980, 1985 and 1996 Acts)  
Anti-Social Behaviour, Crime and Policing Act 2014  
Section 17, Crime and Disorder Act 1998

## **Consent**

The primary legal basis for processing personal data in respect of victims will be the informed consent of the individual concerned.

When relying on consent we will:

- Be clear about this, explain why we need your personal information
- Ask you to positively opt-in e.g. in writing or through affirmative action verbally
- Give you sufficient information to make an informed choice
- Advise you of your right to withdraw your consent at any time and how to do this (where applicable)

Information will not be shared, without the consent of the person who provided the information unless the law allows it, and/or it is necessary to do so to protect life or prevent crime or harm.

## **Legal obligation**

This basis covers personal data processing required to comply with a common law or statutory obligation e.g. a court order may require us to disclose some personal data.

## **Legitimate interests**

We can rely upon this basis when the personal data processing is necessary for the Council's legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests. This basis can only be used for processing which falls outside of performing our official/public tasks.

We rely on this basis for the use of CCTV to protect our buildings and assets and we rely in part on this basis when using recording equipment to protect our frontline staff.

## **Who receives my personal information?**

Your personal information will be processed by the Anti-Social Behaviour team for the purpose it was given. Personal information collected or received about individuals from third parties e.g. perpetrators will be used as necessary to discharge our statutory duties. Some personal

information may also be shared with other council departments/service teams who need the information to provide a service that you have requested or to discharge our duties.

For the investigation and case work of anti-social behaviour cases personal information may also be shared with some or all of the following:

Police, Fire Service

Social services

Safeguarding – Those officers or organisations with a responsibility for safeguarding children and vulnerable adults

Schools

Doctors

Court service

Other landlords

Clinical Commissioning Groups

Youth offending service

The Elm [Foundation](#)

Derbyshire County Council

Immigration

The Council is under a duty to act to reduce crime and disorder and will share information where it is necessary to do so to achieve this objective. This sharing has a clear basis in law including the Crime & Disorder Act 1998 and Anti-Social Behaviour, Crime and Policing Act 2014 and is in accordance with the Data Protection Act 2018 which has provisions for crime and legal proceedings.

The Council is a signatory to the Derbyshire Partnership Forum Information Sharing [Protocol](#) which is an overarching document that sets out the framework for partner organisations across Derbyshire to manage, process and share personal and sensitive personal information on a lawful, fair and transparent basis to enable them to meet both their statutory obligations and the needs and expectations of the people they serve.

Specifically the Council is a signatory to the Anti-Social Behaviour Information Sharing Agreement and to the Information Sharing Agreement for the empowering communities inclusion and neighbourhood management system (E-CINS) for anti-social behaviour. The purpose of these Information Sharing Agreements is to co-ordinate and facilitate the sharing of information between partner organisations, who have a duty, or specific objective, of working with the perpetrators and victims of anti-social behaviour, with the aim of reducing the harm caused by anti-social behaviour. These agreements sit under the Derbyshire Partnership Forum (DPF) Information Sharing Protocol.

We use data processors who are third parties who provide elements of services for us, for example Information technology (IT) providers. We have contracts in place with our data processors. (See how we protect your data).

The law only allows us to use your personal information for the purpose it was given. If we would like to use your personal information for another purpose then we would need to notify you of this and seek your consent unless we can rely on another legal basis for the personal data processing. The only other exception to this is disclosures required by law and/or where an exemption exists under data protection regulation e.g. legal proceedings, crime and taxation purposes.

If we need to share your personal information with parties external to the Council then we will tell you this at the time of collecting the information from you (unless an exception applies).

This may not necessarily include data processors who are processing personal data on our behalf under a contract.

## **Transferring your personal data**

Personal data which the council processes itself is held on UK servers. When using an external provider for processing it is our policy to use companies which have UK or EU based servers to receive the safeguards within UK data protection law and reciprocated across the European Union.

## **How do we protect data?**

The Council takes the security of data seriously. The Council has internal policies and controls in place to safeguard personal data. This includes access restrictions to systems containing personal information, employee training and awareness, ICT security control and protocols, confidential waste collection and destruction, and documentation including personal data audits and guidance.

Where we engage third parties to process personal data on our behalf they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

## **How long do we keep your personal information?**

This depends on the type of record we hold but it is our policy not to hold records any longer than necessary whilst complying with any legal requirements and providing sound business records.

The retention policy for Anti-Social Behaviour records is 6 years.

The Council has a retention schedule which contains its main record types and the length of time the record will be kept. If you would like further information on this then please email [FOI@bolsover.gov.uk](mailto:FOI@bolsover.gov.uk).

## **Access to your information and other individual rights**

You have a right to request a copy of the information we hold about you. If you would like a copy of some or all of your personal information please email [FOI@bolsover.gov.uk](mailto:FOI@bolsover.gov.uk). Or write to us that the following address:

Bolsover District Council  
The Arc, High Street  
Clowne  
Derbyshire S43 4JY

There is also information on our website – search '[data protection](#)'

You also have other rights under data protection regulation which include rights to rectification, erasure, to restrict processing, data portability, to object, and to prevent automated decision making. Some of these rights are affected by the legal basis for processing which the Council is using, for example the rights to erasure and portability do not apply when processing your personal data for official public functions. More information of your rights is available on our website.

To exercise your rights please use the contact details noted in the first instance.

## How to contact us

Please contact us if you have any question about this privacy statement or information we hold on you.

- By email – [FOI@bolsover.gov.uk](mailto:FOI@bolsover.gov.uk)
- Or write to us at Bolsover District Council;, The Arc, High Street, Clowne, Derbyshire, S44 4JY

The Council's data protection officer is Kath Drury, email [kath.drury@bolsover.gov.uk](mailto:kath.drury@bolsover.gov.uk) or telephone 01246 242280.

You also have a right to make a complaint to the Information Commissioners Office about concerns you may have about your personal data.

Information Commissioners Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Telephone 0303 123 1113  
[www.ico.org.uk](http://www.ico.org.uk)

You may wish to raise any complaint or concern with us first by contacting the Council's Data Protection Officer or using the Council's [complaint](#) system.