

Hartlepool Borough Libraries

Privacy Notice

What is the purpose of this document?

Hartlepool Borough Council (HBC) is committed to protecting the privacy and security of your personal information.

This privacy notice is issued in accordance with the General Data Protection Regulation (GDPR) and describes how we collect and use personal information about you when accessing library services.

This notice applies to information we hold about you.

We may update this notice at any time.

It is important that you read this notice, together with any other privacy notice 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.

The Data Protection Legislation

We will comply with data protection law which includes the GDPR and the Data Protection Act 2018 which states that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

No personal information held by us will be processed unless the requirements of the Data Protection

legislation for fair and lawful processing can be met.

Who is the Data Controller?

HBC is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

Who is the Data Protection Officer?

We have appointed a data protection officer (DPO) to oversee compliance with this privacy notice. If you have any questions about this notice or how we handle your personal information, please contact the DPO:

Laura Stones, Scrutiny and Legal Support Officer
Hartlepool Borough Council
Civic Centre
Hartlepool
TS24 8AY

dataprotection@hartlepool.gov.uk

You have the right to make a complaint at any time to the Information Commissioner’s Office (ICO), the UK supervisory authority for data protection issues.

What kind of information we hold about you?

Personal Information

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are “special categories” of more sensitive personal data which require a higher level of protection.

How we use particularly sensitive information

“Special categories” of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

1. In limited circumstances, with your explicit written consent.
2. Where we need to carry out our legal obligations and in line with our data protection policy.
3. Where it is needed in the public interest

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

HBC's Obligations

What are HBC's obligations?

We will collect, store, and use the following categories of personal information about you:

- Name
- Address
- Date of birth
- Email address
- Telephone number.
- Name of school (where applicable).
- Library membership records, for example book loan history and financial transactions.
- Data relating to the enquiry service, for example when you ask us for assistance to find information, including family history research.
- Records relating to use of the People's Network, including search history.
- Correspondence records

We may also collect, store and use the following "special categories" of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.
- Information about your health, including any medical condition, health and sickness records.
- Information about criminal convictions and offences.

We will use your particularly sensitive personal information in the following ways:

- **In relation to safeguarding and crime prevention**
- **In order to administer services to people with special needs**

Information about Criminal Convictions

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection policy.

Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

We may also process such information about members or former members in the course of legitimate business activities with the appropriate safeguards.

We will only collect information about criminal convictions if it is appropriate. Where appropriate, we will collect information about criminal convictions as detailed in the Sexual Offence Act 2003 (Sexual Harm Prevention orders and Sexual Risk orders). We will use information about criminal convictions and offences in the following way:

If you are subject to one of the above orders and disclose this to us, or the information is disclosed to us by the Police, we will assess your case to establish whether, and under what terms and conditions, you may use our facilities.

We are allowed to use your personal information in this way to carry out our obligations under Safeguarding.

How is your personal information collected?

We collect personal information:-

- (a) When you register for and use library services.
- (b) When you participate in Library events.
- (c) When you correspond with us.
- (d) When you hire from us or supply services to us.

How we will use information about you?

We will only use your personal information when the law allows us to. We will use your personal information in the following circumstances:

- (a) where you have **given** clear consent for us to process your personal data for this specific purpose (CONSENT)
- (b) where 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 namely as required to administer use of Library Services (Public Libraries & Museums Act 1964. PUBLIC TASK);
- (c) where the processing is necessary for us to comply with the law (LAW) – i.e gathering information required by the Copyright, Designs & Patents Act 1988

We may also use your personal information in the following situations, which are likely to be rare:

(a) Where the processing is necessary to protect someone's life.

Situations in which we will use your personal information

We need all the categories of information in the list above (see *What kind of information we hold about you?* above) primarily to allow us to process it as part of a public task.

The situations in which we will process your personal information are listed below.

<u>Reason for Processing</u>	<u>Legal Basis e.g Public Task/Contract etc</u>
The management of Library accounts: including the issuing of library cards; the loan, return or recall of books and other items; the management of reservations; the use of the People's Network.	Article 6(1)(e) – Public Task
The management of Enquiry Services: for example, when you ask us for assistance to find information, including family history research. Also if you request us to signpost or refer you to another department or agency. The delivery of national initiatives such as Bookstart and the Summer Reading Challenge.	Article 6(1)(e) – Public Task Article 6(1)(a) GDPR – Consent Article 6(1)(a) GDPR - Consent
Promotional purposes: for example, to inform you about upcoming events in which you have expressed an interest.	Article 6(1)(a) GDPR - Consent
Consent: for example, to indicate consent to photograph an adult or child, or to give consent for a child to read books in a category aimed at older people.	Article 6(1)(a) GDPR - Consent
Legal requirements: for example, copyright declarations.	Copyright, Designs and Patents Act 1988
Crime prevention: for example, ensuring the security of the Library and the safety of staff, library users and others through CCTV and other methods, including those outlined in our IT Acceptable Use policy. Also, by sharing data with the Police as required.	Legal Obligation:- Crime and Disorder Act 1998 Data Protection Act 2018 - Request for Disclosure.

Some of the above grounds for processing will overlap and there may be more than one ground which justifies our use of your personal information.

What if I don't want to provide personal information?

If you fail to provide certain information when requested, you may not be able to access library services and we may be prevented from complying with our legal obligations.

Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

Does HBC need your consent?

We do not need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights as required by law. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent.

Automated Decision Making

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you.

We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

Data Sharing

We may have to share your data with third parties, including third-party service providers and

other entities in the group.

We require third parties to respect the security of your data and to treat it in accordance with the law.

We will not transfer your personal information outside the EU.

Why might you share my personal information with third parties?

We will share your personal information with third parties where required by law or where it is necessary to service delivery. Examples of the organisations we may need to share information with are:

Police & Crime Prevention

Specialist providers (for example, the RNIB)

Library Management System providers

Referrals to Information & Guidance agencies

Which third-parties process my personal information?

"Third parties" includes third-party service providers (including contractors and designated agents). The following third-parties process personal information about you for the following purposes:

Information & Guidance agencies when you have asked us to refer you.

Northgate Public Services – The Council's IT provider Northgate may have to access the system on occasions where there is a fault.

Civica – Library Management System providers

Lorensbergs- Printing and IT Management System provider

Bibliotecha – RFID Self-service System provider

How secure is my information with third-party service providers?

All our third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

Data Security

We have put in place measures to protect the security of your information. Details of these measures are available upon request.

Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality. Details of these measures may be obtained from the Data Protection Officer.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

Data Retention

How long will you use my information for?

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Details of retention periods for different aspects of your personal information are available in our retention policy which is available from www.hartlepool.gov.uk/retention-schedules. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

Rights of Access, Correction, Erasure and restriction

Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the Data Protection Officer in writing.

For further information on your rights please visit:

https://www.hartlepool.gov.uk/info/20032/access_to_information/500/access_to_information/8

No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee for photocopying.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific

purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the Data Protection Officer. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

Changes to this Privacy Notice

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

Your responsibilities

Library users are reminded that they have a responsibility to keep their information accurate and up-to-date. Please help us to do this by notifying us of any alterations to your address, personal details, or other relevant information and by notifying us at once if your library card is lost or stolen.

If you have any questions about this privacy notice, please contact the DPO.