

## **Appendix 3**

### **Unacceptable Behaviour Privacy Notice**

#### **Our Commitment to Your Privacy**

As part of our commitment to protecting your information, we have updated our Privacy Notices to explain how we collect, store and handle your personal data.

We have always been careful to protect your information, but this is part of our ongoing commitment to be transparent about how we use your information and keep it safe. This will also give you more clarity over how your information is being managed.

Through our revised privacy notice, we have addressed the new standards introduced by the European data protection law, known as the General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

#### **How we use your data**

City of Lincoln Council is what is known as the 'controller' of the data you provide to us and is registered with the Information Commissioner's Office.

Under our Unreasonable Customer Actions Policy, we retain certain information. This means we will process and hold your personal data because you have been in contact with the Council and your actions have been considered unacceptable whilst undertaking the interaction. We will take all reasonable steps to ensure colleagues, elected Members and partners are supported when they feel they have been subject to unacceptable customer actions and, when that behaviour is at its most extreme, are protected from foreseeable risks associated with their work activities and people with whom they come into contact.

We are keeping a record of your behaviour for the purpose of protecting our colleagues, elected Members and partners and by reducing incidents of unacceptable behaviour, ensuring you receive the best possible service from us, and managing contact you have with us, if necessary. However, no such data shall be recorded unless it is necessary to protect the health, safety and welfare of the Council's colleagues, partners, elected Members, contractors or other third parties.

#### **What information do we collect?**

We may collect and process the following personal information:

- Your name and contact details (which may include your postal address, email address and telephone number)
- Reason for contacting the Council.
- Recordings of your telephone calls to us, as calls to our contact centre are recorded for training and monitoring purposes, so we can ensure we are delivering a good service and also it allows us to manage the contact with us, if necessary
- Visual images
- Sound recordings
- Records of your behaviour
- Notes about any relevant circumstances that you have told us about

- We may also process additional information, which may contain special category (sensitive) personal data, for example, health information, particularly if this is relevant regarding the interactions you may have with us
- We may also store further information, for example, offences (including alleged offences), criminal proceedings and outcomes.

### **Why we can collect your data**

The lawful basis under the GDPR that we rely on for processing your personal information is:

GDPR Article 6(1)(e) – Performance of a task in the public interest (which allows us to process personal data when this is necessary to perform our public tasks carried out in the public interest).

GDPR Article 9(2)(g) – this is processed for reasons of substantial public in order to comply with UK legislation and where it is necessary for us to fulfil our legal obligations and regulatory requirements. This also relates to our public task and the safeguarding of your fundamental rights (Data Protection Act Schedule 1 Part 2 Substantial Public Interest Conditions: Paragraph 6, which relates to statutory and government purposes).

### **How we collect your data**

The information we hold will have been provided by you during telephone calls, emails or online enquiry forms, face to face conversations, social media or when we communicate with you. We may also hold information provided by other Council departments through relevant systems (where this is relevant).

Telephone calls made to the Council, and subsequently transferred, are recorded. Recording contact centre telephone calls allows us to have access to a verbal record of information in the event of a subsequent complaint and enables us to review the behaviour.

### **When we'll share your data**

Sometimes we have a legal duty to provide personal information to other organisations or if there is a good reason that is more important than protecting your privacy. For example, we may share your information with other Council Departments and the Police Authority for the prevention and detection of crime, for example. If we are concerned about an individual's mental health, or if an individual's behaviour is dangerous or has potential to impact on other organisations.

It may be necessary for us to share the data we hold about you in relation to your actions when dealing with our staff, with the following organisations and partners.

- Lincolnshire Police
- NHS/Clinical Commissioning Groups
- District Councils in Lincolnshire and Lincolnshire County Council
- Job Centre Plus and other DWP staff based in City Hall
- Citizen's Advice
- Voluntary Services

We may also share information about you and your behaviour within the organisation in order to ensure we are able to manage your contact as effectively as possible.

In addition, canvassing staff will be provided with information via Democratic Services about details contained on the Register to ensure they are informed and protected from foreseeable risks associated with the people with whom they come into contact.

Only the Corporate Health and Safety Team shall enter or delete entries on the Exercise with Caution Register. Only those colleagues who are likely to encounter a potentially violent individual, through visits or meetings for example, shall have access to the Register.

We do not sell your personal information to anyone and will never share your information for marketing purposes.

### **Know your Rights.**

You have many rights regarding your personal data, which include seeing what personal information we hold about you. In addition, you can ask us to correct inaccuracies, object to the Council processing your data and restrict the personal information we hold. Where possible we will seek to comply with your request, but we may be required to continue to hold and process information to comply with a legal requirement. In those instances, we will explain why it is appropriate for us to continue processing your personal data.

If you want to contact us with regards to your rights, please contact [dpo@lincoln.gov.uk](mailto:dpo@lincoln.gov.uk)

### **How We Keep Your Information Secure and How Long We Keep it.**

The information we collect is recorded and stored on our secure system. We will keep your information for up to 6 years, after which it will be securely deleted. This will allow us to monitor the numbers of unacceptable incidents that are taking place and to allow monitoring of any future related incidents regarding an individual.

### **Where to get Advice or Make a Complaint.**

If you have any concerns or questions, or would like to make a complaint, regarding data protection matters, please contact our Data Protection Officer at [dpo@lincoln.gov.uk](mailto:dpo@lincoln.gov.uk) or by calling 01522 881188

For independent advice and/or to make a complaint about data protection, privacy and data sharing issues, you can contact the Information Commissioner's Office (ICO) at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire SK9 5AF.  
Tel: 0303 123 1113 (local rate) or 01625 545 745

Alternatively, visit [ico.org.uk](http://ico.org.uk) or email [icocasework@ico.org.uk](mailto:icocasework@ico.org.uk)