

Thurrock Council

National Investigation Service (NATIS)

Background

NATIS is committed to protecting the privacy and security of your personal data. This notice describes how we collect and use personal data about you in accordance with data protection law, including the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act (DPA) 2018.

What is personal data?

Personal data is information that relates to an identified or identifiable individual and only includes information relating to natural persons who:

- can be identified or who are identifiable, directly from the information in question
- who can be indirectly identified from that information in combination with other information

What types of personal data do we process?

We may process personal data relating to or consisting of the following categories:

- personal details (such as name, address and biographical details)
- family, lifestyle and social circumstances
- education and training details
- online identifiers, including IP addresses, cookie identifiers from third party websites
- sound and visual images (e.g. from body worn cameras, CCTV, or facial recognition software)
- employment history
- location data
- information relating to a person's economic identity, including credit ratings, financial information and banking records
- an individual's personal views and opinions, including recordings and transcriptions of interviews undertaken as part of an investigation
- criminal intelligence (including alleged offences, criminal proceedings, outcomes and sentences)

We may also hold special categories of more sensitive personal data which require a higher level of protection including:

- 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
- genetic data

- biometric data (where used for identification purposes such as fingerprints and facial recognition)
- data concerning health
- data concerning a person's sex life and sexual orientation
- criminal records and allegations of criminal offences

The types of personal data we process will vary depending on the purpose. We aim to process the minimum amount of personal data necessary for the relevant purpose. You should not assume we hold personal data in all of the categories identified for every person whose personal data we process.

The categories identified may not be complete as occasionally we may gather personal data in other categories for the purposes described.

Why we collect and process your data

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data where:

- we need to comply with a legal obligation
- it is necessary for the performance of a task carried out in the public interest or in the exercise of our official authority as a government department
- it is necessary for the purposes of the prevention, investigation, detection or prosecution of criminal offences including fraud

In limited circumstances we will ask you for your consent to use your personal data, but your consent is not required if any of the above apply.

Legal basis for processing personal data for non-law enforcement purposes

Where NATIS processes personal data for non-law enforcement purposes, the processing will fall under the UK GDPR and the Data Protection Act 2018 (DPA 2018).

We may also process data for non-law enforcement purposes such as when we recruit and vet potential employees and for staff administration. Where we process data for non-law enforcement purposes, the processing is likely to be based on the following grounds:

- it is necessary for performing the contract
- to comply with a legal obligation
- it is in the public interest to do so; or for official purposes

Legal basis for processing personal data for law enforcement purposes

Where NATIS processes personal data for law enforcement purposes, the processing will fall under Part 3 of the Data Protection Act 2018 as NATIS processes data for the purpose of conducting criminal investigations and/or prosecutions. NATIS is a competent authority for the purposes of the DPA 2018.

Processing in the context of a criminal investigation or proceedings will be subject to provisions of the DPA 2018.

Where an investigation is of a civil nature or in relation to civil litigation, processing is subject to the UK GDPR.

Whose personal data do we process?

We process information relating to a range of individuals, including:

- victims of crime
- witnesses to crime
- people convicted of an offence
- people suspected of committing an offence
- complainants, correspondents and enquirers
- advisors, consultants and other professional experts
- suppliers
- current and former employees, temporary and casual workers
- representatives of individuals in this list, such as people with power of attorney.

Where do we get the personal data we process?

We collect and process personal data, under both statutory and contractual obligations, obtained from a variety of sources, including:

- Government departments
- Public authorities
- Law enforcement agencies
- Regulatory bodies
- Solicitors and counsel
- Fraud prevention organisations
- Financial institutions (including banks)
- Individuals (including witnesses, victims, suspects)

What disclosures do we make of your personal data?

We may disclose personal data to a wide variety of recipients including to those from whom we originally obtain personal data. Recipients may include:

- Government departments
- Local authorities
- Public authorities (including courts)
- Solicitors and counsel
- Crown Prosecution Service
- Law enforcement agencies
- Regulatory bodies
- Fraud prevention organisations
- Financial institutions (including banks)
- Legal representatives

We decide on disclosure case-by-case, disclosing only the personal data that is necessary and proportionate to a specific purpose.

How long do we retain your personal data?

We keep your personal data for as long as necessary for the particular purpose or purposes for which we hold it.

We will retain records containing personal data relating to investigations and intelligence in accordance with the Thurrock Council Retention schedule which is in line with College of Policing guidance on the Management of Police Information (MOPI).

What are your rights over your personal data we process, and how can you exercise them?

Under the Act you have a number of rights that you can exercise in relation to personal data we process about you. We sometimes need to request specific information from you to help us confirm your identity and ensure your authority to exercise the rights.

Your right of access: you have the right to ask us for copies of your personal data. This right always applies. There are some exemptions, which means you may not always receive all the information we process.

Your right to rectification: you have the right to ask us to rectify information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete. This right always applies.

Your right to erasure: you have the right to ask us to erase your personal data in certain circumstances.

Your right to restriction of processing: you have the right to ask us to restrict the processing of your information in certain circumstances.

Your right to object to processing: you have the right to object to processing if we are able to process your information because the process forms part of our public tasks, or is in our legitimate interests.

Your right to data portability: this only applies to information you have given us. You have the right to ask that we transfer the information you gave us from one organisation to another, or give it to you. The right only applies if we are processing information based on your consent or under, or in talks about entering into a contract and the processing is automated.

Your rights - law enforcement processing

If we are processing your information for law enforcement purposes, your rights are slightly different.

You have a right to access your personal data held by or for us. You also have a right to get inaccurate data rectified and incomplete data completed, and for your personal data to be erased in certain circumstances.

We will provide further information directly to data subjects in specific cases to enable them to exercise their rights. This might be in cases where we are processing your personal data that was collected without your knowledge.

We will not do this where doing so would be prejudicial to our investigation or for other reasons set out in section 44(4) of the Data Protection Act 2018.

Our contact details and data protection officer

You can contact our Data Protection Officer if you have any questions or concerns about how we process your personal data.

Data Protection Officer (DPO)
National Investigation Services (NATIS)
Thurrock Council
Civic Offices
New Road
Grays
Essex
RM17 6LT
Email: public.contact@natis.gov.uk

How you can complain

The Information Commissioner's Office (ICO) regulates the processing of personal data. You can complain to the ICO if you are unhappy with how we have processed your personal data.

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Helpline number: 0303 123 1113
Complain on the [ICO website](#)