

London Borough of Camden Privacy Notice

Freedom of Information

This notice explains your rights under the UK General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA18) and sets out why we are using your personal information and what we will do with it. For more information about our general processing see www.camden.gov.uk/privacy or scan this QR code:



1. The name and contact details of the Data Controller and the Data Protection Officer

The data controller is London Borough of Camden, Judd Street, London, WC1H 9JE. Tel: 020 7974 4444. Our Data Protection Officer is Andrew Maughan, the Council's Borough Solicitor. dpo@camden.gov.uk .

2. The purpose of processing

We use your data so we can deal with your Freedom of Information Act 2000 (FOIA) and Environmental Information Regulations 2004 (EIRs) requests and associated queries, handle informal and formal Internal Reviews, deal with complaints to the ICO (Information Commissioner) and appeals the Information Tribunal. We also use your data to assist us in complying with the Local Government Transparency Code 2015 and other publication requirements. We also do general processing as explained in our general Privacy Notice that is linked to above and detailed below.

3. What personal data we use

Your name and contact details, and the information you are requesting if that is biographical to you in any way. You can choose to tell us other information if it will help us meet either an access need (eg so we can send you information in large font if you have a visual disability), or so we understand the context of your request better. We will also use information we already hold about you in council systems to provide you with a better FOI service and to ensure the council takes a joined up approach to information rights, complaints, data subject rights and delivering services.

4. Your information will be used to:

- Process and respond to your request, any complaints and follow ups
- Provide advice and assistance to you as a requester.
- Provide information and context to other services dealing with requests, complaints or queries from you
- We will also use information we already hold about you in council systems to provide you with a better FOI service and to ensure the council takes a joined up approach to information rights, complaints, data subject rights and delivering services.
- Comply with legal obligations such as the prevention and/or detection of crime including fraud, for employee safety, and for safeguarding purposes
- Meet any specific access needs you have disclosed such as large print or formats
- Decide whether it should be released under a FOIA or EIR request. See 5 and 9 below. Personal information provided by you in a request may be included in a response if it is necessary to render the request understandable but the council would only release further personal data of you or others in a FOI/EIR response where this was lawful, fair and proportionate (which would be unusual).

5. Lawful Basis for processing personal data

Under the UK General Data Protection Regulation (GDPR), the lawful basis we rely on for using your personal data are:

- We have a legal obligation - GDPR Article 6 (1) (c)
- We need it to perform a public task – GDPR Article 6 (1) (e)
- For considering disclosure of personal data under FOIA/EIR GDPR our legitimate interests under Article (1) (f). As a public authority, the council cannot rely on legitimate interests as a lawful basis for any processing to perform our public authority tasks. However, for the purpose of considering the potential disclosure of information under FOIA or the EIR, we can do so because section 40(8) of FOIA, and regulation 13(6) of the EIR confirm that for the purposes of considering disclosure, a public authority may consider the legitimate interests lawful basis for processing.

The underpinning laws are the Freedom of Information Act 2000 (FOIA), Environmental Information Regulations 2004 and associated Statutory Instruments, the Local Government Transparency Code 2015, UK General Data Protection Regulation (GDPR) and the Data Protection Act 2018 for handling requests and service matters; for any safeguarding actions the Children's Act and the Care Act 2014, for employee and others' safety the Health and Safety at Work etc Act 1974, and to make reasonable adjustments for requesters the Equality Act 2010, for other processing the Localism Act 2011.

Where we may collect special category (sensitive) data about your race, health, ethnic origin, etc., we rely on the following lawful basis:

- We need collect it for Substantial Public Interest in order to comply with UK Legislation GDPR Article 9 (2) (g). When we use this legal basis we also have to comply with a Data Protection Act 2018 Schedule 1 Part 2 condition, and we apply the following: Para 6. Statutory and government purposes and the underpinning law being the Equality Act 2010, the Localism Act 2011, Freedom of Information Act 2000 (FOIA) and Environmental Information Regulations 2004 (EIRs)

6. What personal information you must provide and the consequences of not providing information when it is a legal or contractual requirement

We need to have your real name and a correspondence address so we can deal with your request. The Freedom of Information Act requires you to provide your real name if you make a FOI request, and although the Environmental Information Regulations do not require your real name in many cases requests overlap with FOIA so we advise not using pseudonyms. We must have an address (email preferred but postal is possible) so we can contact you.

7. When we share your information

We may share your information with other council departments or third parties where necessary to undertake council tasks. Camden's policy is that all information will only be shared among council services and other agencies, where we have a legal power or duty to do this or a court order compels or allows us to do so,. We will share only the minimum information for each circumstance. We also do general data matching or data sharing in certain areas for the prevention or detection of crime. More information on council services and information sharing can be found on the council's privacy statement linked above.

The council has a number of Data Sharing Agreements with organisations such as the Police or the NHS to cover sharing that is regular or routine. Ones from 2021 can be accessed here [Data Sharing Agreements \(DSAs\) | Open Data Portal \(camden.gov.uk\)](#)

We may sometimes need to share some of your information with:

- The Information Commissioner (the FOI and EIR regulator) and other similar bodies such as the LGSCO
- Cabinet Office – National Fraud Initiative (NFI)
- HM Courts and Tribunals service
- Other Local Government departments, bodies and services where there is a statutory obligation or a lawful reason to share
- Policing Authorities for the prevention and detection of crime
- Enforcement Agents authorised by Camden Council to recover unpaid Council Tax – currently Marston (Holdings) Ltd and Newlyn PLC
- Civica on Demand for the processing of Single Persons Discount reviews (anti-fraud and error monthly reviews to ensure those claiming SPD are truly entitled to it)
- Authorised third party representatives acting on behalf of the person / company whose personal data we are processing such as a relative, solicitor, debt advisor, accountant, managing agent or insolvency practitioner
- Your Councillor or MP where you have made a complaint to them about the Council for them to investigate on your behalf

8. How long will we keep your personal information?

Records are kept in line with our corporate retention schedule [LBC Retention Schedule and Disposal Policy \(camden.gov.uk\)](#). FOI cases, Internal Reviews and ICO and Tribunal complaints are held for the current year plus 2 years, and longer by exception (eg where there is an active Tribunal case). FOI responses (which generally contain no personal data) are kept for 7 years.

9. Your information rights and your right to make a complaint about your data

The law gives you a number of rights although there are some exemptions to these rights. If you would like more information on your rights and the exemptions, please see these websites:

- Camden Council <https://www.camden.gov.uk/your-rights>
- The Information Commissioner's Office [Individual rights - guidance and resources | ICO](#) To exercise your rights please use [Data Subject Rights form - Camden Council](#)

If you wish to make a proactive objection to your personal data being released under a FOI/EIR request you can contact us at DPO@camden.gov.uk However we would reassure you it would be very unusual for the council to release personal data in a FOI/EIR request. For example the names of people who have objected to eg traffic orders would automatically be withheld, as would the names and details of people who have complained about others or issues such as planning, food safety, or who have raised eg safeguarding concerns about anyone.

If you have a data protection complaint it would be helpful if you contacted us first at dpa@camden.gov.uk to see if we can resolve the problem. You can also make a complaint to the Information Commissioner's Office (ICO) if you are unhappy with how the council has handled your personal data. You can contact the ICO Monday to Friday 9am to 5pm at telephone: 0303 123 1113. Live chat and other information can be found on their website:

<https://ico.org.uk/global/contact-us/contact-us-public/public-advice/> You should contact our Data Protection Officer first to see if this will resolve the problem before going to the ICO.

Automated decision making and transferring your personal information out of the European Union / European Economic Area (EU/EEA): We do not use automated decision making or profiling to process your personal data. Data in our FOI case management system is processed within the EU.

10. Updating this Privacy Notice

We will update the Privacy Notice periodically. It was last updated in November 2024