

Privacy Notice

The Registration Service

When processing your personal, special category personal or criminal/law enforcement data, Westmorland and Furness Council ('the council') is required under Articles 13 and 14 of the UK General Data Protection Regulation (UKGDPR) to provide you with the information contained in this Privacy Notice.

This notice explains what the council will collect, who it will be shared with, why we need it and how we will use it. The council will continually review and update this Privacy Notice to reflect service changes, feedback from customers and changes in the law.

The council is also required to comply with the data protection principles as laid out in the UKGDPR, to ensure that personal data is:

- processed lawfully, fairly and in a transparent manner
- collected for specific, explicit, and legitimate purposes
- adequate, relevant, and limited to the purposes for which it was collected
- accurate and up to date
- kept for no longer than is necessary for the purpose(s) for which it was collected
- secured using appropriate technical or organisational measures

Local Government Reorganisation (LGR)

As of 1 April 2023, Cumberland Council will replace Allerdale Borough Council, Carlisle City Council and Copeland Borough Council, and Westmorland and Furness Council will replace Barrow-in-Furness Borough Council, Eden District Council and South Lakeland District Council, as well as services previously delivered by Cumbria County Council.

Local Government Reorganisation is a complex process and there will be a period of transition to allow for services and support systems to be securely transferred.

During this time existing arrangements for data processing will be maintained until they can be reviewed, and new Privacy Notices issued. Individuals wishing to understand more about how their data is processed should refer to the following Privacy Notices:

[Cumberland Council](#)
[Westmorland and Furness Council](#)

Registration

As an organisation that processes large amounts of personal, special category personal or criminal/law enforcement data, referred to in legislation as a data controller, the council is required to register with the Information Commissioner's Office (ICO)

Where services are hosted by either Westmorland and Furness Council or Cumberland Council, the authorities may be processing personal data jointly, making them Joint Data Controllers, or where either Council is operating as a data processor for another party.

Name: Westmorland and Furness Council
Address: South Lakeland House, Lowther Street, Kendal, Cumbria, LA9 4DQ
Registration Number: ZB512761

The council's Registration Certificate can be viewed:

<https://ico.org.uk/ESDWebPages/Entry/ZB512761>

Name: Cumberland Council
Address: Cumbria House, 117 Botchergate, Carlisle, Cumbria, CA1 1RD
Registration Number: ZB512758

The council's Registration Certificate can be viewed at:

<https://ico.org.uk/ESDWebPages/Entry/ZB512758>

About the Service

All statutory services/functions

- Registration of births, deaths, marriages & civil partnerships
- Preliminaries to marriage and civil partnerships
- Conversion from civil partnership to marriage
- Management of the citizenship ceremony process and citizenship ceremonies on behalf of the home office
- Custodian of the registers for births, deaths and marriages from 1837
- Updating the registers for adoptions, corrections, re-registrations, space 17 name given in baptism and not in baptism
- Production of copy certificates of births, deaths and marriages upon payment and positive identification of the entry
- Statutory elements of ceremony delivery
- Registration of buildings as a place of worship and place of marriage
- Oversight of all non-secular ceremonies, paperwork and appointment of authorised persons
- Delivery of end-of-life ceremonies at short notice 24/7/365

Exception to the hosted offer from the Registration Service:

In January 2020, registration service was split in to 3 elements:

- Customer front door
- Ceremonies
- Statutory and regulatory service delivery

1. Customer front door: Most incoming communications by telephone and email are handled by officers in the service centre operations team who have been trained and provided guidance notes and maps of the customer enquiries.

Appointment bookings are made via this team.

All complex queries are passed to our Registration team however these would all be part of a statutory requirement

2. Ceremonies: The ceremonial element of ceremony delivery is delivered by the service centre. The registration service still has statutory oversight of this operation, but delivery is through the service centre ceremonies team.
3. Any discretionary services will be detailed in the return from service centre
4. Statutory and regulatory service delivery: The statutory elements of the service are delivered by the registration service under the leadership of the Superintendent Registrar and Proper Officer.

This team deliver all legal registration activity, are accountable for the performance of the service and compliance with GRO requirements and standards; and the team manages the relationship with the GRO. There are no discretionary services offered by this team.

Future Legislative Changes

The electronic communications act made it possible for much of the paperwork concerning birth and death registrations to be passed electronically from the medical professionals to the service and from the service to the cemetery and crematoria for body disposal.

HMPO is now developing a “portal” whereby medical certificates of cause of death can be sent electronically rather than a wet signature paper document. Once this is ready (at beta testing) they will move to the 2nd phase which is for all births and deaths to be given the option of undertaking registrations by telephone.

This will be a significant change to the service, it will enable greater flexibility and resilience however will not reduce workload and could lead to an increase in workload. It will however be a benefit to the people of Cumbria who live in a large geographic area and allow them to register from home rather than attend in person. Through covid this was allowed for deaths, and it was very positive with both stakeholders and customers.

From 9th September 2024 the role of the Medical Examiner is a statutory function. This has removed the need for the service to make referrals to HM Coroner.

Functions not covered by hosting

Ensuring the correct delivery of the ceremony element of the service to meet legal requirements falls under the jurisdiction of the Superintendent Registrar. This service will continue to be offered as part of the hosting arrangement. However, the delivery of ceremonies will be subject to a separate service schedule developed by the service centre which was hosted by Westmorland & Furness until October 2023 when they split.

The two service schedules will need to be considered together as their work has a significant relationship and need to engage with the Registration Service for regulatory purposes.

Any current district services that will be integrated into the hosting arrangement We are not aware of anything at this stage.

We still await our final structure and any such detail.

Data Controller Arrangements

The Registration service runs separately for each authority, with each authority having its own registration district, along with separate booking system for appointments, phone systems and email enquiry systems.

Although staff from both authorities may support each other in the delivery of registration services by sending staff to work in each other's offices, each authority will remain a separate and independent data controller of the personal data processed in connection with the registration services and personal data will not be shared between the authorities for the purpose of the delivery of the registration services.

NB – It should be noted that this does not sit with any local authority for Registration. The Superintendent Registrar is the custodian of all Registration information. The Superintendent Registrar is logged with the ICO and is a data controller in their own right for the service.

What is personal data?

UKGDPR Article 4 defines personal data as: any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

What is special category personal data?

UKGDPR Article 9 defines special category personal data as: racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

What is criminal/law enforcement data?

The council is a competent authority as described in Schedule 7 of the Data Protection Act 2018 and is permitted to process data for law enforcement purposes that include: the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including the safeguarding against and the prevention of threats to public security.

What information does the council collect about me?

The Registration Service is required to process either your personal, special category/sensitive or criminal/law enforcement data to meet legal obligations and make robust recommendations and decisions.

The **Personal Data** requirements are:

Registration – Births

- Marital Status of parents
- If multiple Births
- Date of birth of child
- Names of child
- Sex of child
- Where the child was born
- Fathers' names and any former names
- Where father was born
- Occupation of father
- Name, previous names, otherwise known as and maiden name of mother
- Where mother was born
- Occupation of mother
- Addresses at present and address at time of baby's birth

Registration – Deaths

- Full names currently using and any former names or maiden surnames if applicable
- Date of death
- Where person died
- Date of birth of deceased
- Where deceased was born
- Marital status
- Occupation
- Employment Status
- Name of spouse or civil partner if applicable
- Occupation of spouse or civil partner
- Employment status of spouse or civil partner
- Usual address
- Cause of Death
- Informant's name
- Informant's relationship to deceased
- Informant's address

Notice of Intent to Marry/Form a Civil partnership and Booking Ceremonies

- Opposite or same sex ceremony
- Name, previous names, otherwise known as and maiden name
- Date of birth
- Nationality
- Place, date and time of ceremony
- Sex
- Marital Status
- Address and how long at address
- Parents details
- Telephone details for home and mobile
- Date of divorce, annulment, death, dissolution
- Relationships to each other
- Occupation

Office of National Statistics (ONS) mandatory and voluntary statistical collection - Births

- Month and year of marriage
- Father date of birth
- Mothers date of birth
- Any other living children
- Any previous still-born children
- Employment status
- Which industry they work in

Office of National Statistics (ONS) mandatory and voluntary statistical collection - Deaths

- Date of birth of spouse or civil partner
- How long in a communal establishment (if applicable)

Tell Us Once

- Full names
- Date of birth
- House number and postcode
- Date of death

Certificate Services

- Applicants Name
- Applicants Address
- Applicants telephone number and email address
- Delivery address
- Relationship to the person(s) on the certificate

- Name of person(s) on certificate
- Date of birth, death, marriage, or civil partnership
- Where the event took place
- Details of parents, spouses, partners

The **Special Category Data** requirements are:

- gender
- health
- religion
- nationality
- sex life or sexual orientation

The **Criminal/Law Enforcement Data** requirements are:

- Not Applicable

How does the council collect data about me?

As part of this service the council will collect personal, special category personal or criminal/law enforcement data from you in the following ways:

- by telephone
- online forms
- appointment booking systems for births, deaths and stillbirths and marriages/civil partnerships
- online payment systems, for example - registration certificates
- face to face, for example - registration interviews
- using the [Tell Us Once service](#)

Why does the council collect my personal data?

The Registration Service collects personal, special category personal or criminal/law enforcement data to enable it to:

- meet legal obligations
- make robust recommendations and decisions

Who does the council collect personal data from?

To provide the Registration Service personal, special category personal or criminal/law enforcement data may be collected from or about the following:

- businesses, customers and suppliers
- carers or representatives
- claimants
- complainants, enquirers or their representatives
- healthcare users

- landlords
- licence and permit holders
- offenders and suspected offenders
- patients
- people captured by CCTV images
- professional advisers and consultants
- recipients of benefits
- representatives of other organisations
- staff, persons contracted to provide a service
- councillors
- students and pupils
- traders and others subject to inspection
- witnesses
- speaking members of public at committee meetings, including virtual committee meetings
- other departments within the council

Registration Service may receive personal, special category personal or criminal/law enforcement data about you from the third parties mentioned above and other public bodies and organisations. In this case, we will tell you the source of the information unless we are unable to do so by law.

Who does the Registration Service share personal data with?

Where there is a lawful reason to do so the Registration Service may share personal, special category personal or criminal/law enforcement data with:

- business associates and other professional advisers
- courts, prisons and tribunals
- credit reference agencies
- current, past and prospective employers
- customers
- customs and excise
- data processors
- debt collection and tracing agencies
- educators and examining bodies
- employees and agents of the data controller
- family, associates or representatives of the person whose personal data we are processing, e.g., next of kin, Power of Attorney, Guardians
- financial organisations
- fire authorities
- healthcare, social and welfare organisations and professionals
- housing associations and landlords
- international law enforcement agencies and bodies
- law enforcement and prosecuting authorities
- legal representatives
- licensing authorities
- local and central government departments
- Local Government Ombudsman/Information Commissioner
- partner agencies, approved organisations and individuals working with the police
- persons making an enquiry or complaint
- police complaints authority

- police forces
- political organisations
- press and the media
- private investigators
- professional advisers and consultants
- professional bodies
- providers of goods and services
- regulatory bodies
- religious organisations
- security companies
- service providers
- students and pupils including their relatives, guardians, carers or representatives
- survey and research organisations
- the disclosure and barring service
- trade unions
- voluntary and charitable organisations
- other departments within the council to allow us to provide efficient and effective services

We will also comply with requests for specific personal, special category personal or criminal/law enforcement data from other Local Authorities or regulatory and law enforcement bodies where this is necessary and proportionate. Before sharing we will always ensure that our partners have sufficient measures in place to protect your information in the same way we do.

We will never share your personal, special category personal or criminal/law enforcement data for marketing purposes, without your express consent.

Legal Basis

Where the Registration Service identifies the requirement to process personal, special category/sensitive or criminal/law enforcement data, depending on the specific data being shared, it must have at least one of the following:

- for personal data, a legal basis under [UKGDPR Article 6](#)
- for special category/sensitive data, a condition under [UKGDPR Article 9](#)
- for criminal/law enforcement data, a purpose under [Data Protection Act 2018 - Schedule 8](#)

If we are relying on consent to process your personal, special category personal or criminal/law enforcement data, you have the right to object at any time by contacting the service or officer the data was provided to.

If **personal data** is being processed the Registration Service must select at least one legal basis from the list below:

- **UKGDPR Article 6(1) (a) Consent**
- **UKGDPR Article 6(1) (c) Legal Obligation**
- **UKGDPR Article 6(1) (e) Public Task/Public Interest/Official Authority**

Where the Registration Service is relying on UKGDPR Article 6(1)(c) all Relevant Legislation should be listed below.

If **special category personal data** is being processed the Registration Service must select at least one condition from the list below:

UKGDPR Article 9(2) (g) Substantial public interest

If **criminal/law enforcement data** is being processed the Registration Service must select at least one condition from the list below:

- **Not Applicable**

Relevant Legislation

Births and Deaths

- Births and Deaths Registration Act 1953
- Registration of Births and Deaths Regulations 1987 (SI 1987/2088)
- Registration of Births and Deaths (Welsh Language) regulations 1987 (SI 1987/2089)
- The Deregulation (Still-Birth and Death Registration) Order 1996 (SI 1996/2395)
- The Contracting Out (functions of the Registrar General in relation to authoring re-registration of births) Order 1997 (SI 1997/962)
- The Deregulation (Correction of Birth and Death Entries in Registers of Other Records) Order 2002 (SI 2002/1419)
- The Registration of Births and Deaths (Electronic Communications and Electronic Storage) Order 2006 (SI 2006/2809)
- Legitimacy Act 1976
- The Registration of Births, Deaths and Marriages (Amendment) Regulations 2006
- The Registration of Births, Deaths and Marriages (Amendment) Regulations 2007
- The Registration of Births, Deaths and Marriages (Amendment)No.2 Regulations 2007
- The Cremation (England and Wales) Regulations 2008
- The Human Fertilisation and Embryology Act 2008
- The Registration of Births and Deaths (Amendment) Regulations 2009
- The Coroners and Justice Act 2009
- The Welfare Reform Act 2009
- The Presumption of Death Act 2013
- Births and Deaths
- Births and Deaths Registration Act 1953
- Registration of Births and Deaths Regulations 1987 (SI 1987/2088)
- Registration of Births and Deaths (Welsh Language) regulations 1987 (SI 1987/2089)
- The Deregulation (Still-Birth and Death Registration) Order 1996 (SI 1996/2395)
- The Contracting Out (functions of the Registrar General in relation to authoring re-registration of births) Order 1997 (SI 1997/962)
- The Deregulation (Correction of Birth and Death Entries in Registers of Other Records) Order 2002 (SI 2002/1419)
- The Registration of Births and Deaths (Electronic Communications and Electronic Storage) Order 2006 (SI 2006/2809)
- Legitimacy Act 1976
- The Registration of Births, Deaths and Marriages (Amendment) Regulations 2006
- The Registration of Births, Deaths and Marriages (Amendment) Regulations 2007

- The Registration of Births, Deaths and Marriages (Amendment)No.2 Regulations 2007
- The Cremation (England and Wales) Regulations 2008
- The Human Fertilisation and Embryology Act 2008
- The Registration of Births and Deaths (Amendment) Regulations 2009
- The Coroners and Justice Act 2009
- The Welfare Reform Act 2009
- The Presumption of Death Act 2013
- Marriages
- Marriage Act 1949
- The Registration of Marriages Regulations 1986 (SI 1986/1442)
- The Marriage Act 1994
- The Marriage and Civil Partnership (Approved Premises) Regulations 2005
- The Registration of Births, Deaths and Marriages (Amendment) Regulations 2005 (SI 2005/3177)
- The Reporting of Suspicious Marriages and Registration of Marriages (Miscellaneous Amendments) Regulations 2000 (SI 2000/3164)
- The Registration of Marriages (Welsh Language) Regulations 1999 (SI 1999/1621)
- The Asylum and Immigration (Treatment of Claimants) Act 2004
- The Immigration (Procedure for Marriage) Regulations 2011 (SI 2011/2678)
- The Marriages and Civil Partnerships (Approved Premises) Regulations 2005 (SI 2005/3168)
- The Forced Marriage (Civil Protection) Act 2007
- The Equality Act 2010
- The Marriage and Civil Partnership (Approved Premises)(Amendment) Regulations 2011
- The Protection of Freedoms Act 2012
- The Marriage (Same Sex Couples) Act 2013
- Immigration Act 2014
- The Registration of Marriages Regulations 2015
- The Marriage (Authorised Persons) and Civil Partnership (Registration Provisions) (Amendments) Regulations 2015
- The Registration of Births, Deaths and Marriages and Registration of Civil Partnerships (Fees) (Amendment) Order 2015
- The Referral of Proposed Marriages and Civil Partnerships Regulations 2015
- Marriage (Registrar General's Licence) Act 1970
- Adoptions
- Adoptions and Children Act 2002
- The Adopted Children and Adoption Contact Registers Regulations 2005 (SI 2005/924)
- The Adoption Information and Intermediary Services (Pre-commencement) Adoptions Regulations (SI 2005/890)
- Civil Partnership
- The Civil Partnership Act 2004
- The Marriages and Civil Partnerships (Approved Premises) Regulations 2005 (SI 2005/3168)
- The Reporting of Suspicious Civil Partnerships Regulations 2005 (SI 2005/3174)

- The Civil Partnership (Registration Provisions) Regulations 2005 (SI 2005/3176)
- The Immigration (Procedure for Formation of Civil Partnerships) Regulations 2011 (SI 2011/2979)
- Gender Recognition
- Gender Recognition Act 2004
- The Gender Recognition Register Regulations 2005 (SI2005/912)
- Local Authorities/Miscellaneous
- The Registration Service Act 1953
- The Registration of Births, Deaths and Marriages Regulations 1968
- Statistics and Registration Act 2007
- The Freedom of Information Act 2000
- The Data Protection Act 1998
- Mental Capacity Act 2005
- Equality Act 2010
- Fees
- The Registration of Births, Deaths, Marriages and Civil Partnerships (Fees) Regulations 2016
- The Registration of Civil Partnerships (Fees) (No. 2) Order 2005 (SI 2005/3167)
- The Registration of Civil Partnerships (Fees) Order 2005 (SI 2005/3177)
- The Registration of Civil Partnership (Fees)(Amendment) Order 2010
- The Registration of Births, Deaths, Marriages (Fees)(Amendment) Order 2012
- Immigration Act 2016
- Regulation of Birth and Death, Marriage and Civil Partnership (Fees) (Amendment) Regulations 2017
- The Medical Certificate Cause of Death Regulations 2024

Marriages

- Marriage Act 1949
- The Registration of Marriages Regulations 1986 (SI 1986/1442)
- The Marriage Act 1994
- The Marriage and Civil Partnership (Approved Premises) Regulations 2005
- The Registration of Births, Deaths and Marriages (Amendment) Regulations 2005 (SI 2005/3177)
- The Reporting of Suspicious Marriages and Registration of Marriages (Miscellaneous Amendments) Regulations 2000 (SI 2000/3164)
- The Registration of Marriages (Welsh Language) Regulations 1999 (SI 1999/1621)
- The Asylum and Immigration (Treatment of Claimants) Act 2004
- The Immigration (Procedure for Marriage) Regulations 2011 (SI 2011/2678)
- The Marriages and Civil Partnerships (Approved Premises) Regulations 2005 (SI 2005/3168)
- The Forced Marriage (Civil Protection) Act 2007
- The Equality Act 2010
- The Marriage and Civil Partnership (Approved Premises)(Amendment) Regulations 2011
- The Protection of Freedoms Act 2012
- The Marriage (Same Sex Couples) Act 2013
- Immigration Act 2014

- The Registration of Marriages Regulations 2015
- The Marriage (Authorised Persons) and Civil Partnership (Registration Provisions) (Amendments) Regulations 2015
- The Registration of Births, Deaths and Marriages and Registration of Civil Partnerships (Fees) (Amendment) Order 2015
- The Referral of Proposed Marriages and Civil Partnerships Regulations 2015
- Marriage (Registrar General's Licence) Act 1970

Adoptions

- Adoptions and Children Act 2002
- The Adopted Children and Adoption Contact Registers Regulations 2005 (SI 2005/924)
- The Adoption Information and Intermediary Services (Pre-commencement) Adoptions Regulations (SI 2005/890)

Civil Partnership

- The Civil Partnership Act 2004
- The Marriages and Civil Partnerships (Approved Premises) Regulations 2005 (SI 2005/3168)
- The Reporting of Suspicious Civil Partnerships Regulations 2005 (SI 2005/3174)
- The Civil Partnership (Registration Provisions) Regulations 2005 (SI 2005/3176)
- The Immigration (Procedure for Formation of Civil Partnerships) Regulations 2011 (SI 2011/2979)

Gender Recognition

- Gender Recognition Act 2004
- The Gender Recognition Register Regulations 2005 (SI2005/912)

Local Authorities/Miscellaneous

- The Registration Service Act 1953
- The Registration of Births, Deaths and Marriages Regulations 1968
- Statistics and Registration Act 2007
- The Freedom of Information Act 2000
- The Data Protection Act 1998
- Mental Capacity Act 2005
- Equality Act 2010

Fees

- The Registration of Births, Deaths, Marriages and Civil Partnerships (Fees) Regulations 2016
- The Registration of Civil Partnerships (Fees) (No. 2) Order 2005 (SI 2005/3167)
- The Registration of Civil Partnerships (Fees) Order 2005 (SI 2005/3177)
- The Registration of Civil Partnership (Fees)(Amendment) Order 2010
- The Registration of Births, Deaths, Marriages (Fees)(Amendment) Order 2012
- Immigration Act 2016
- Regulation of Birth and Death, Marriage and Civil Partnership (Fees) (Amendment) Regulations 2017

Automated Decision-Making/Profiling

Automated individual decision-making is a decision made by automated means without any human involvement. Automated individual decision-making does not have to involve profiling, although in some cases it might.

A definition of Profiling can be found in: [UK GDPR - Article 4\(4\)](#) and further information can be found at: [ICO - Automated Decision Making and Profiling](#)

We **do not** use your information for automated decision-making or profiling purposes.

CCTV and Surveillance

We operate surveillance equipment within some of our services for the purpose of either, public and staff safety, or the prevention and detection of crime. CCTV is also installed on the outside of some of our buildings for the purposes of monitoring building security and crime prevention and detection.

Civil Enforcement Officers (CEOs) who undertake the enforcement of Public Space Protection Orders (PSPO) and parking restrictions, are each equipped with a Body Worn Video Device (BWVD), which has both video and audio recording capability.

Images captured by CCTV will be kept in accordance with the council's [Retention and Disposal Schedule](#). However, on occasions there may be a need to keep images for longer, for example where a crime is being investigated. Images can be requested by writing to: dataprotection@westmorlandandfurness.gov.uk

We will only disclose images and audio to other authorised bodies who intend to use it for the purposes stated above. Images and audio will not be released to the media for entertainment purposes or placed on the internet for public viewing.

We operate CCTV and disclose in accordance with the codes of practice issued by the Information Commissioner and Biometrics and Surveillance Camera Commissioner.

Please note: From 1 April 2023, for a transitional period, individuals wishing to make enquiries about the deployment of CCTV and Surveillance, should in the first instance search the relevant council website, as listed below:

[Cumberland Council](#)
[Westmorland and Furness Council](#)

Once new systems and processes have been agreed and implemented, they will be made available via the Cumberland/Westmorland and Furness Council websites.

National Fraud Initiative/Data Matching

The Council participates in the Cabinet Office's National Fraud Initiative: a data matching exercise to assist in the prevention and detection of fraud. We are required to provide particular sets of data to the Minister for the Cabinet Office for matching for each exercise.

For further information please see: [National Fraud Initiative: Public Sector Data Requirements](#).

For further information on how your data is processed by the council please see:

[Cumberland Council](#)
[Westmorland and Furness Council](#)

Elected Members

In order for Elected Members to act on your behalf and resolve the issues you have raised they may need to collect some personal, special category personal or criminal/law enforcement data. This could include your name and address, and/or sensitive personal data, which could be concerning your health or ethnic origin.

In some circumstances your explicit consent may be needed to allow for the processing of your data. If this is needed the relevant Elected Member will contact you directly.

Elected Members will:

- only share data with the organisations necessary to deal with your enquiry i.e., different council departments, and to resolve any issues you have raised
- not share your data with third parties, unless it is required for law enforcement purposes to prevent or detect crime, to protect public funds or where required or permitted to share data under other legislation
- keep your data secure using the council's secure IT and email systems
- retain/destroy your data in accordance with the council's Retention and Disposal Schedule

You have the right to access your personal, special category personal or criminal/law enforcement data and to rectify mistakes, erase, restrict, object or move your data in certain circumstances.

You can withdraw your consent for your personal, special category personal or criminal/law enforcement data to be processed as described above at any time. If you would like this to happen or you have a complaint about how your data is handled, please contact your Elected Member.

If you are not satisfied with the response or believe the Elected Member is not processing your personal, special category personal or criminal/law enforcement data in accordance with the law you can complain to the [Information Commissioner's Office \(ICO\)](#).

Data Transfers

It may sometimes be necessary to transfer personal, special category personal or criminal/law enforcement data beyond the UK to comply with legal or other obligations.

Where data is required to be transferred to the European Union or other adequate countries the council will ensure that all relevant safeguards are in place before this takes place and that all aspects of the UKGDPR/Data Protection Act 2018 are complied with.

Data requested for transfer to non-adequate countries will be subject to a Transfer Impact Assessment, that includes the identification of appropriate safeguards prior to data being authorised for transfer.

Data Security and Retention

The council is required by [UKGDPR Article 32](#) to ensure that appropriate organisational and security measures are in place to protect your personal, special category personal or criminal/law enforcement data.

Security measures include: anonymisation, pseudonymisation, encryption, access controls on systems, regular testing of our systems, security training for all employees.

You can find further information in the following documents:

[Information Security Policy](#)

[Data Protection Policy](#)

[PSN Connection Compliance Certificate](#)

If you access information online, the council website does not store or capture personal information, but merely logs a number called your IP address which is automatically recognised by the system. The system will record personal information if you:

- subscribe to or apply for services that require personal information
- report a fault and give your contact details for us to respond
- contact us and leave your details for us to respond

For further information visit our [Cookies Policy](#).

Westmorland and Furness Council will only store your information for as long as is legally required in accordance with the council's [Retention and Disposal Schedule](#) or in situations where there is no legal retention period established best practice will be followed.

To help you understand the Schedule the council has published a [Retention Schedule - Quick User Guide](#).

If you have any questions about the Schedule or the Quick User Guide, please contact record.centre@cumberland.gov.uk.

If you experience any problems in relation to your personal data or you see something that doesn't look right, contact the council by email at: databreaches@westmorlandandfurness.gov.uk.

Contacting the Council

Emails

If you email us, we may keep a record of your contact and your email address and the email for our record keeping of the transaction. We suggest that you keep the amount of confidential information you send to us via email to a minimum and use our secure online forms and services. Where available, you can sign up for email alerts for selected services using an external service from GovDelivery, with control over your preferences.

Telephone Calls

The council will inform you if your telephone calls are being recorded or monitored and will not record any financial card details if you make payments by telephone.

Your Rights - Data Subject Access

The UKGDPR provides you with the right to access the personal, special category personal or criminal/law enforcement data the council, as a public authority holds about you. Upon receipt of a valid request the council will:

- provide you with a response within one month
- let you know if your request is subject to an extension
- make reasonable efforts to comply with the format of your request
- inform you if your request is going to be refused or a charge is payable We

will not disclose:

- any information that relates to a third party as this will breach their rights under UKGDPR/Data Protection Act 2018
- where a professional thinks disclosure would cause serious harm to you or someone else
- information that may hinder the prevention or detection of crime.

Please note: From 1 April 2023, for a transitional period, individuals wishing to submit a Data Subject Access Request should do so via legacy websites, as listed below:

[Cumberland Council](#)

[Westmorland and Furness Council](#)

Once new systems and processes have been agreed and implemented, they will be made available via the Westmorland and Furness Council website.

Your Rights - Other

In addition to your right of access the UKGDPR gives you the following rights:

- the right to be informed via the council's Privacy Notice
- the right to withdraw your consent. If we are relying on your consent to process your data, then you can remove this at any point
- the right of rectification, we must correct inaccurate or incomplete data within one month
- the right to erasure. You have the right to have your personal data erased and to prevent processing unless we have a legal obligation to process your personal information. Where your personal data has been shared with others, we will ensure those using your personal data comply with your request for erasure.
- the right to restrict processing. You have the right to suppress processing. We can retain just enough information about you to ensure that the restriction is respected in future
- the right to data portability. We can provide you with your personal data in a structured, commonly used, machine readable form when asked
- the right to object. You can object to your personal data being used for profiling, direct marketing or research purposes
- you have rights in relation to automated decision making and profiling, to reduce the risk that a potentially damaging decision is taken without human intervention.

Where our processing of your personal, special category personal or criminal/law enforcement data is based on your consent, you have the right to withdraw your consent at any time. If you do decide to withdraw your consent, we will stop processing your personal data for that purpose, unless there is another lawful basis we can rely on - in which case, we will let you know. Your withdrawal of your consent won't impact any of our processing up to that

point.

Where our processing of your personal, special category personal or criminal/law enforcement data is necessary for our legitimate interests, you can object to this processing at any time. If you do this, we will need to show either a compelling reason why our processing should continue, which overrides your interests, rights and freedoms or that the processing is necessary for us to establish, exercise or defend a legal claim.

Unless otherwise stated above you can exercise any of these rights by contacting:

Email: dataprotection@westmorlandandfurness.gov.uk

Post: South Lakeland House, Lowther Street, Kendal, Cumbria, LA9 4DQ

Verifying Your Identity

When exercising the rights mentioned above, please be aware that under UKGDPR Article 12(6) additional information can be requested to verify that you are the data subject if your identity is unconfirmed. Please note that:

- additional documentation is only required when the council cannot verify your identity using internal council systems that relate to the service you are requesting information about
- the council will contact you for this documentation prior to processing your request
- the statutory deadline for responding to your request will start when you have provided the additional documentation
- failure to provide additional documentation may lead to the council rejecting your request.

Complaints

If you have concerns about the way the council has processed your data, please contact:

Email: dataprotection@westmorlandandfurness.gov.uk

Post: South Lakeland House, Lowther Street, Kendal, Cumbria, LA9 4DQ

If you are not satisfied with our response or believe we are not processing your personal data in accordance with the law you can [complain to the Information Commissioner's Office \(ICO\)](#).

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