

## INFORMATION RIGHT LEAFLET AND FORM

### What are your rights?

In this leaflet, we explain your rights, as user of Council services.

Your information rights are:

- ❖ The right to be informed about your information will be used;
- ❖ The right of access to your personal information;
- ❖ The right to rectification, which is the right to require the council to correct any inaccuracies or omissions;
- ❖ The right to request the erasure of any personal information held by the council where the council no longer has legal reason to hold the information;
- ❖ The right to request that your information is only processed in certain ways;
- ❖ The right to object to the council processing your personal information.

You also have the right to complain to:

The Council's Data Protection Officer ([data.protection@fdean.gov.uk](mailto:data.protection@fdean.gov.uk)) and/or, The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF, if you are unhappy with the way the Council has processed your personal information.

These are not absolute rights and there may be circumstances where the council is legally obliged to process your information in a particular way.

To make a request to exercise one of your rights as shown below, please complete and return the form on our website:

- Correct,
- Erase,
- restrict,
- Object

We will need to verify your identity and the attached form will explain what evidence we need to receive from you before we process your request. The council service will confirm within one calendar month that the request has been fulfilled.



## **1 How will your personal information be used?**

To find out more on how we use your personal information, please read our privacy notices

<https://www.fdean.gov.uk/about-the-council/information-data/privacy-notice/>

## **2 How do you ask to see your information?**

You should submit a Subject Access Request to tell us which records you would like to see.

The form can be found on our website <https://www.fdean.gov.uk/media/3558/subject-access-request-form.pdf>

## **3 What do you do if information held about you is incorrect? (right to rectification)**

You should tell the Council service that the data is incorrect and ask for corrections to be made. If the service does not agree that the information is incorrect, you can ask to record your disagreement on the record itself.

If the service does not correct your information, you can make a complaint to the Council's Data Protection Officer ([data.protection@fdean.gov.uk](mailto:data.protection@fdean.gov.uk)).

If you are not satisfied with the response you receive, you can make a complaint to the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

You also have a right to apply to the court to have inaccurate data rectified, blocked, erased or destroyed. This right extends to any other personal data which contains an opinion about you based on the inaccurate data.

## **4 Your right to erasure or the 'right to be forgotten'**

You have the right to have your data erased in certain circumstances, including if:

- The personal data is no longer necessary for the purpose which the Council originally collected or processed it for;
- The Council is relying on consent as the lawful basis for holding the data and you withdraw your consent for the Council to hold your information;
- The Council has processed the personal data unlawfully.

## **5 Your right to ask the Council to restrict how your personal information is used**

You have the right to restrict how the Council uses your personal information in certain circumstances. This is an alternative to requesting the erasure of your information.

You have the right to request that the Council restricts the processing of your personal information in the following circumstances:

- ❖ You contest the accuracy of the information held about you and we are still investigating whether the information is accurate;
- ❖ Your information has been unlawfully processed by the Council, but you do not want us to erase the information, just restrict how we use it;
- ❖ We no longer need the personal data, but you ask us to keep it to establish, exercise or defend a legal action;
- ❖ You have objected to us processing your information and we are still considering whether we are able to comply with your request.

## **6 Your right to object to the use of your personal data**

In some circumstances, the council has a legal obligation to carry out an activity, such as council tax. To collect Council Tax, we need your personal information and because we do not have a choice about whether to process your information for this purpose, you do not have the right to object to our use of your information. For more information, please read our privacy notices <https://www.fdean.gov.uk/about-the-council/information-data/privacy-notice/>

In other circumstances, in carrying out its public duties, the Council will use the information of individuals. In cases such as there, you have the right to object to how we use your information. We must comply with your request unless:

- ❖ We can demonstrate compelling legitimate grounds for the processing of your information, which override your interests, rights and freedoms; or
- ❖ The processing is for the establishment, exercise or defence of legal claims.

**While we are investigating whether we can comply with your request, and we are able to, we will suspend the processing of your information.**

## **7 Right to complain**

If you are unhappy with the way the Council has processed your personal information, you have the right to complain. Any complaint regarding your data should be addressed to the Council's Data Protection Officer ([data.protection@fdean.gov.uk](mailto:data.protection@fdean.gov.uk)).

If the matter is not resolved, you can contact the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.