



# Blackburn with Darwen Council Privacy Notice

**Service area** – Community Safety: Intervention, Prevention and Enforcement Service  
**Project** – MARRAC

**Purpose we collect the data:**

Risk Mitigation & Safeguarding Individuals  
Service Delivery  
Service Improvement  
Service Planning, Intelligence and Research

**Categories of data we collect (Personal & Special Category Data):**

**Personal Data**

Name  
Address  
Date of Birth  
Gender  
Ethnicity  
Telephone Numbers  
Email Address  
School

**Special Category**

Health, Police, Social Care data

**Legal basis for processing**

The Council will process your information in accordance with the General Data Protection Regulation and the Data Protection Act 2018.

The sharing of information between the partner organisations and the MARRAC Programme for the purposes of enhanced support provision and direct care will continue under the following processing conditions:

GDPR, Article 6(1)(e) Public task

GDPR, Article 9(2)(g) Substantial public Interest, with reference to;

- DPA2018 Schedule 1, Part 1 Special category data and criminal conviction data, paragraph 2 (Health and Social Care Purposes),
- DPA2018 Schedule 1, Part 3 paragraph 30 (Protecting individuals vital interests)

The conditions in Article 10 of the UK GDPR and section 10(5) of the DPA 2018 will also be met to process criminal offence data since processing is authorised under Section 10(5) and Schedule 1, Part 2, paragraph 6 of the DPA 2018.

Where the police process information collected for a law enforcement purpose the Police will be required to consider Section 36(4) of the DPA 2018 which limits the processing of Part 3 personal data for the GDPR purposes unless 'authorised by law'. Such authorisation may derive from statute, Common Law or Statutory Code.

Where conviction data is to be shared by the police, Article 10 GDPR requires that a relevant condition be identified from a Schedule of 1,2 or 3 of the DPA. Schedule 1, Part 2, (6) substantial public interest for any function conferred on a person by enactment or rule of law and (16) safeguarding children and adults at risk would satisfy this requirement.

The principal legislation concerning the protection and use of personal information for this purpose is listed (but not limited to) the following:

Human Rights Act 1998 (article 8)  
The Freedom of Information Act 2000  
Data Protection Act 2018  
The General Data Protection Regulation  
Local Government Act 2000  
Criminal Justice Act 2002  
Crime and Disorder Act 1998  
Children Act 1989  
The Children Act 2004  
Care Act 2014  
Children & Family Act 2014  
Working Together 2018  
National Health Service Act 1977  
Health Act 1999  
Mental Capacity Act 2005  
Health and Social Services Act 2000  
1983 Mental Health Act, as amended by the 2007 Mental Health Act and associated Code of Practice  
Sexual Offences Act 2003  
Police and Criminal Evidence Act 1984  
Localism Act 2011

**Whom we share the information with**

Other BWD Council Departments (Environment, Housing, Children Services, Adult Social Care, Public Health, Education, Neighbourhoods)  
Other Local Authority  
Police  
Probation Service  
Health Agencies (Trusts, Hospitals, CCG, GP's)  
Third sector, Voluntary and Faith Organisations  
University of Northumbria (Research & Evaluation).

## **How long we hold the data**

Each party to this ISA is required to store records securely and only retain information for as long as necessary in accordance with their published retention periods. Retention periods may vary between organisations.

Data collated under the MARRAC programme in line with Children's Social Care Privacy Notice will be held until the Child's 75<sup>th</sup> Birthday and in line with Adults Social Care Privacy Notice will be held for the current year + 6 years.

When information is no longer required for the purpose of which it was requested, each party will safely and securely dispose of it.