

PRIVACY NOTICE

Cemeteries and Crematorium

Who is the Data Controller for the information I provide?

Halton Borough Council is the Data Controller for the personal information you provide.

We collect and hold information about you in order to make arrangements for either a burial or cremation at Halton Borough Council's cemeteries and crematorium.

What legal basis allows you to use my information?

The lawful basis that allows us to use your information is through 'Consent'.

Do I have to provide this information and what will happen if I don't?

If you do not provide your personal data we will not be able to provide you with a service as indicated above.

Who will my information be shared with?

No other parties

How long will you keep this information for and why?

Cremation and burial forms are retained for 15 years from the date of cremation, after which time they are securely destroyed.

How will my information be stored?

Information will be stored electronically and as a hard copy, in secure environment.

Will this information be used to take automated decisions about me? Yes/No

No

Will my data be transferred abroad and why?

No

What rights do I have when it comes to my data?

Right to be informed – through this Privacy Notice

Right to rectification – you have the right to have personal data rectified if it is inaccurate or incomplete.

Right to erasure – you have the right to have personal data erased and to prevent processing however the right to erasure does not apply in some circumstances.

Right to restrict processing – you have the right to block or suppress processing of your data, however this right does not apply in some circumstances.

Right to object to processing (to certain types of processing only)

Right of Access - you have the right under the Data Protection Act 1998 (General Data Protection Regulation 2018) to request a copy of your information and to know what it is used for and how it has been shared. This is called the right of subject access. To request a copy of your data or ask questions about how it is used download a copy of our form from <https://www4.halton.gov.uk/Pages/councildemocracy/Data-Protection.aspx> and send it to Information Governance Service, Halton Borough Council, Service Improvement Division, Municipal Building, Widnes, WA8 7QF. Or email informationgovernanceservice@halton.gov.uk

Who can I complain to if I am unhappy about how my data is used?

You can complain directly to the Council's Data Protection Officer by writing to:
Data Protection Officer, Information Governance Service, Halton Borough Council, Municipal Building, Widnes WA8 7QF'.

You also have the right to complain to the Information Commissioner's Office using the following details: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF. Telephone: 08456 30 60 60 or 01625 54 57 45. Website: www.ico.org.uk

SUPPORTING INFORMATION

*Lawful Bases for processing personal data

- (1) **Consent:** the individual has given clear consent for you to process their personal data for a specific purpose.
- (2) **Contract:** the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.
- (3) **Legal obligation:** the processing is necessary for you to comply with the law (not including contractual obligations).
- (4) **Vital interests:** the processing is necessary to protect someone's life.
- (5) **Public task:** the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.
- (6) **Legitimate interests:** the processing is necessary for your legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests. (This cannot apply if you are a public authority processing data to perform your official tasks.)

Lawful Bases for processing special category (more sensitive) data

Eg race, ethnicity, political opinions, religious or philosophical beliefs, trade union, membership, data concerning health or sex life and sexual orientation, genetic data and biometric data where processed to uniquely identify a person:-

- (1) the data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject;
- (2) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by law or a collective agreement pursuant to law providing for appropriate safeguards for the fundamental rights and the interests of the data subject;
- (3) processing is necessary to protect the vital interests of the data subject or of another person where the data subject is physically or legally incapable of giving consent;
- (4) processing is carried out in the course of its legitimate activities with appropriate safeguards by a foundation, association or any other not-for-profit body with a political, philosophical, religious or trade union aim and on condition that the processing relates solely to the members or to former members of the body or to persons who have regular contact with it in connection with its purposes and that the personal data are not disclosed outside that body without the consent of the data subjects;
- (5) processing relates to personal data which are manifestly made public by the data subject;
- (6) processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;
- (7) processing is necessary for reasons of substantial public interest, on the basis of law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject;

(8) processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3;

(9) processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices, on the basis of law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject, in particular professional secrecy;

(10) processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

[Consent Guidance](#) including checklist (Draft waiting ICO publication)

Guidance on [Profiling](#) and automated decision making

[Privacy Notice Code of Practice](#)

[Good and Bad Practice Examples of Privacy Notices](#)

CONTACTS

If you have any queries or you need help with privacy notices, contact Peter Richmond or Janet Johnson. (01/2018)