

Privacy Notice –Orbis Public Law: your information and you

Overview

This privacy notice tells you how Orbis Public Law uses your information, the reasons for doing so, and also what rights you have in connection with the information we hold about you.

Orbis Public Law takes data protection seriously. Please be assured that your information will be used appropriately in line with the data protection legislation; will be stored securely and will not be processed unless the requirements for processing can be met.

What is Orbis Public Law

Orbis Public Law is the partnership of the legal teams of Brighton and Hove City Council, East Sussex County Council, Surrey County Council, and West Sussex County Council. Physically based across the 4 partner authority buildings OPL colleagues offer expert in house legal advice to all officers and councillors in each of the 4 partner Councils on a full range of council responsibilities and public sector duties to internal client departments and to external clients. We also have external clients such as the East Sussex Fire Authority, district councils, local authorities and other local public services.

We provide advice on a range of areas of law, including the following:

- Major projects
- Procurement and contracts
- Property, planning and highways;
- Housing and Licensing
- Prosecutions, civil litigation & employment
- Adult and children's services
- Education
- Administrative and local government law

What sort of information OPL teams hold, why we need it and how we use it

Some of the information which the public provides to the partner Councils (or OPL's external clients) is passed to OPL legal teams so that we can provide legal advice and representation. That is **the purpose** for which we hold your data. Without it, we would not be able to provide legal services to our clients.

The **types of personal data** we hold may include names, addresses and dates of birth as well as biographical, professional, financial and social information about residents, members of the public, elected members, and experts instructed for the purposes of providing legal advice and representation. We may also hold sensitive personal information (Special Category data) such as information regarding your race; ethnic origin; political opinions; religious beliefs; trade union membership; health; sex life; or sexual orientation. However as indicated below, we will only do so where we have a lawful basis for doing so.

Generally the information we hold will have been provided to us by you, by Council staff or by our external clients. However we may also hold information provided by third parties where this is relevant and necessary for the provision of our legal service e.g. from social workers, health professionals, doctors, occupational therapists and enforcement and regulatory agencies such as the police.

What is the legal basis for processing your information

We only process personal data in accordance with the principles of data protection legislation and do so only to the degree that it is necessary to enable us to deliver legal services.

In order to comply with data protection legislation, we must have a **legal basis** in order to collect and use information about you. There are a range of different lawful bases for processing personal data. We rely on one or more of the following reasons to process your data:

- to perform a contract which you have entered into with us
- to comply with a legal obligation that we are subject to
- to perform a task carried out in the public interest or where we are exercising official authority

Where we need to process special categories of personal data, we will only do so where we have identified that a special condition applies under data protection legislation and that the processing is necessary. The basis which we rely on is that processing is necessary for one or more of the following reasons:

- to carry out certain obligations and rights in the field of employment law, social security or social protection law
- to establish, exercise or defend a legal claim
- processing is in the substantial public interest
- to provide health or social care.

Who your information may be shared with (internally and externally)

Access to the personal information we hold about you is restricted to a need to know basis. We treat your personal information lawfully, fairly and transparently, and ensure that it is:

- processed for limited purposes
- kept up-to-date, accurate, relevant and that the information we collect is not excessive (more than we need)
- not kept longer than is necessary
- kept secure

Where we need to share information about you, we do so in line with the law and in such a way as to safeguard your data. Where information is shared between the partners of Orbis Public Law then work may be completed in another location rather than the instructing authority.

We may also be required to share your information with our regulators who are permitted access to this information by law, and/or with other organisations where we have a legal obligation to share the information with them. This may include our insurers or external auditors.

Use of third party organisations

Where we need to share your data with trusted external organisations to process your data on our behalf for example where we use external software or systems to deliver our service, then the other party will be contractually required to adhere to the security requirements imposed by data protection legislation. They will only be able to use your information to the extent that they need to do so to complete work on our behalf.

How long we keep your information, and how we protect it

All of the Orbis Public Law partners store the personal data we process in accordance with detailed file retention and destruction arrangements. These require us to dispose of all personal data securely once there is no longer a lawful basis for retaining it. Further information is available regarding this is available from each of the OPL Legal Services teams:

- Brighton and Hove City Council
- East Sussex County Council
- Surrey County Council
- West Sussex County Council

Your rights

Under data protection legislation, you have the right:

- to be informed why, where and how we use your information
- to ask for access to your information
- to ask for your information to be corrected if it is inaccurate or incomplete
- to ask for your information to be deleted or removed where there is no need for us to continue processing it
- to ask us to restrict the use of your information
- to ask us to copy or transfer your information from one IT system to another in a safe and secure way, without impacting the quality of the information
- to object to how your information is used
- to challenge any decisions made without human intervention (automated decision making)

Please visit the relevant Council's data subject rights page for further details:

- [Brighton and Hove City Council](#)
- [East Sussex County Council](#)
- [Surrey County Council](#)
- [West Sussex County Council](#)

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Contact Information

Should you have any further queries on the uses of your information, please contact the Interim Head of the relevant legal department.

Contact	Interim leadership post	Location
Elizabeth Culbert elizabeth.culbert@brighton-hove.gov.uk	Interim Head of Commercial and Governance	Hove Town Hall
Richard Grout richard.grout@eastsussex.gov.uk	Interim Head of Litigation	County Hall, Lewes
Sarah Baker sarah.baker@surreycc.gov.uk	Interim Head of Children's Social Care	County Hall, Kingston Upon Thames
Diane Henshaw diane.henshaw@westsussex.gov.uk	Interim Head of Adult Social Care, Health and Education	County Hall, Chichester

The Orbis Public Law partners' **Data Protection Officers** may be contacted via the following links:

- [Brighton and Hove City Council](#)
- [East Sussex County Council](#)
- [Surrey County Council](#)
- [West Sussex County Council](#)

If you would like to make a **complaint** about the use of your information, please submit your complaint online:

- [Brighton and Hove City Council](#)
- [East Sussex County Council](#)
- [Surrey County Council](#)
- [West Sussex County Council](#)

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you may contact the ICO:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF