

Privacy Notice (How we use your information)

Safer Kirklees (Hate Crime) – Communities

Tackling Hate crime is one of the key priorities in the Community Safety Partnership Plan. Safer Kirklees work with a number of key partners including the Police, Kirklees Neighbourhood Housing, Health Services and local communities including elected members to deliver the strategy. More information can be found in the [Hate Crime Strategy](#).

A Hate Crime is any crime that is motivated by hostility on grounds of race, sexual orientation, disability, and religion or transgender identity. Similarly a hate incident is any incident perceived by a victim or any other person, to be motivated by hostility or prejudice based on the persons race, sexual orientation, disability religion or transgender identity.

The categories of information that we collect, process, hold and share include:

- **Personal information**
Name
Date of Birth
Address
Telephone/contact details.
- **Characteristics (such as gender, ethnicity and disability)**
Gender identity
Ethnicity
Disability
Sexual orientation
Religion/Faith

Why we collect and hold this information

We use this personal data in order to:

- Where appropriate provide you with the support that reduces your vulnerability to being a victim of hate crime
- Ensure you receive the appropriate support to report hate crime effectively
- Enable us to work with partners to support you
- Fulfil our legal obligation under the Crime and Disorder Act 1998
- Evaluate and improve the Kirklees response to Hate Crime
- Identify local trends and patterns to inform future practice and support

The lawful basis on which we use this information

Any person may disclose information to a relevant authority under Section 115 of the Crime and Disorder Act 1998, 'where disclosure is necessary or expedient for the purposes of the Act (reduction and prevention of crime and disorder)'. 'Relevant authorities', broadly, are the police, local authorities, health authorities (clinical commissioning groups) and local probation boards.

Clause 8 of the Data Protection Bill provides that Article 6(1)(e) includes:

- (a) We collect and process information about you in order to comply with the legislative requirements under Article 6(1)(c) (processing is necessary for compliance with a legal obligation to which the controller is subject.), and,
- (b) in terms of special category data, under Article 9(2)(g) (processing is necessary for reasons of substantial public interest, on the basis of Union or Member State 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) of the GDPR.

The conditions for processing special category data (e.g. ethnicity, health info etc.) is also met through our need to meet the legal obligations placed on the authority by the duty to prevent crime and disorder.

Specifically Clause 8 of the Data Protection Bill provides that Article 9(2)(g) includes the condition:

- processing is necessary for reasons of substantial public interest, on the basis of Union or Member State 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;

Storing this information

Kirklees Council will hold the information about you securely and for no longer than reasonably necessary.

In order to address Hate Crime now and in the future we need to keep this information for 5 years to enable us to reduce further issues impacting on the public.

If a referral does not lead to any intervention, personal details will be deleted from Safer Kirklees systems with 24 months.

Who we share this information with

We routinely share this information with our partners in:

- Kirklees Neighbourhood Housing
- West Yorkshire Police

Other Services:

- Housing Providers
- Social Care
- Mental Health Services
- Supporting Agencies
- Community and Voluntary Groups
- Schools Colleges

Why we share this information

We share information with the above named organisations on a statutory basis, under Clause 8 of the Data Protection Bill provides that Article 6(1)(e) includes (a) processing of personal data that is necessary for the exercise of a function conferred on a person by an enactment or rule of law, and (b) processing of personal data that is necessary for the exercise of a function of the Crown, a Minister of the Crown or a government department. The sharing of information under Section 115 of the Crime and Disorder Act 1998, is undertaken 'where disclosure is necessary or expedient for the purposes of the Act (reduction and prevention of crime and disorder)'.

We do not share personal information about you with anyone else without consent unless the law and our policies allow us to do so.

Further information

If you would like further information about how we manage your data, please see the privacy notice for Kirklees Council at <http://www.kirklees.gov.uk/privacy>

If you would like further information about this privacy notice, please contact:

Name: Lee Hamilton
Title: Safer Kirklees Manager
Service: Communities
Email: lee.hamilton@kirklees.gov.uk

If you have any worries or questions about how your personal data is handled, please call the Data Protection Officer at DPO@kirklees.gov.uk or by ringing 01484 221000.