



Specific Privacy Notice: Vetting

Introduction

This Privacy Notice has been created to make it easier for you to understand what personal data Lancashire Constabulary may collect about you by the Vetting process and why and how that personal data may be used.

It forms one part of the duties placed upon the Chief Constable by the General Data Protection Regulation (GDPR) (Articles 13 and 14) when undertaking general processing and the Data Protection Act 2018 (Section 44) when undertaking law enforcement processing.

This Notice should also be read in conjunction with the Lancashire Constabulary [Privacy Notice](#) which can be accessed from the home page of Constabulary's website; this is the high-level Privacy Notice that provides you with further details relating to your data protection rights, should we hold personal data about you now or if we collect your personal data in the future.

If you have received a hard copy of this Notice and do not have access to the internet but you require access to the Lancashire Constabulary Privacy Notice please contact the Lancashire Constabulary Data Protection Office (contact details below) and they will provide a copy to you.

For what purpose(s) is my personal data intended to be processed by Lancashire Constabulary?

Everyone in, working alongside or delivering service on behalf of the police service must maintain high ethical and professional standards and act with the utmost integrity and a

thorough and effective vetting regime is necessary to verify whether or not someone is suitable to serve in, or work alongside, Lancashire Constabulary.

The information provided will be used as the basis for conducting a range of background checks and enquires including Police databases and information systems, and, where applicable, it will also be checked against 'open source' internet, the records of Credit Reference Agencies and other third party records.

Where Credit Reference Agency records are checked, this will be for the vetting subject only and not for any other individuals named on the form.

What is Lancashire Constabulary's legal basis for processing my personal data?

Under the General Data Protection Regulation (GDPR) the legal bases we rely on for processing personal information for vetting purposes are:

Article 6(1)(c) where processing is necessary for compliance with a legal obligation to which the controller is subject.

The statutory basis for Article 6 (1) (c) is the [College of Policing Vetting Code of Practice](#) (issued October 2023). This was presented to Parliament pursuant to Section 39A (5) of the Police Act 1996, as amended by Section 124 of the Anti-Social Behaviour, Crime and Policing Act 2014 and is supported by the [College of Policing Authorised Professional Practice \(APP\)](#)

Article 6 (1) (e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. As per section 8 (c) of the DPA 2018 processing is necessary for the exercise of a function conferred on a person by an enactment or a rule of law. Such functions may be identified from the:

- The Policing Protocol Order 2011 which states that the Chief Constable is responsible for maintaining the Queen's Peace and is accountable to the law for the exercising of police powers and to the PCC for delivering of efficient and effective policing, management of resourcing and expenditure by the police force.
- The Police Reform and Social Responsibility Act 2011, Sch 2. (7) provides that a Chief Constable may do anything which is calculated to facilitate, or is conducive to, the exercise of the functions of a Chief Constable, the delivery of efficient and effective policing, and managing complaints.

The processing may include the potential to capture special category data, which is defined at Article 9 of GDPR as personal data revealing:

- racial or ethnic origin
- political opinions
- religious or philosophical beliefs
- trade union membership
- genetic data, biometric data
- data concerning a natural person's sex life or sexual orientation

The legal basis we rely on for processing this special category data is GDPR Article 9 (2) (b) 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 Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject.

As per Section 10 (2) of the Data Protection Act 2018, a condition must be met which is Schedule 1, Part 1 (1) the processing is necessary for the purposes of performing or exercising obligations or rights which are conferred by law on the controller or the data subject in connection with employment, social security or social protection.

When the processing of conviction data is required Article 10 of the GDPR will be satisfied by the virtue of the Article 6 and Article 9 conditions outlined above.

Where special categories of personal data or law enforcement data is processed, Article 10 of the GDPR requires, in some circumstances that an [Appropriate Policy Document](#) is in place.

What are the categories of personal data collected?

To enable the vetting process to take place you will be asked to provide personal details, such as your name, address, date and place of birth, employment history, ethnicity, religion, financial information, criminal convictions and your contact details.

You will also be asked to provide personal details of family members, other co-residents and any known criminal associates.

Am I required to provide my personal data under a statutory or contractual requirement, or a requirement necessary to enter into a contract, or am I obliged to provide it?

Whilst you can decline to provide some or all of the information required in the vetting forms, if you do so, it will not be possible to conduct a meaningful risk assessment and clearance cannot be granted.

Who will my personal data be disclosed to by Lancashire Constabulary?

The information may be shared with other police forces / agencies in the United Kingdom in respect of any recruitment applications you may make.

Within the Constabularies the information provided will not be shared with anyone outside the Professional Standards and HR Departments, unless for a legitimate law enforcement purpose.

How long will my personal data be retained by Lancashire Constabulary?

Information collected through the vetting procedure will be retained in line with the [Lancashire Constabulary Record Retention Schedule](#)

Your rights

Amongst other rights, you have a right to [request a copy](#) of personal information that Lancashire Constabulary holds about you.

Further details of all your rights can be found within the general [Privacy Notice](#) referred to above.

The person who determines the purpose and means by which your personal data is processed) is :

Chief Constable of Lancashire Constabulary
Lancashire Constabulary
HQ
Saunders Lane
Hutton
PR4 5SB

The contact details of Lancashire Constabulary's Data Protection Officer

The Data Protection Officer
Lancashire Constabulary
Police Headquarters
Saunders Lane
Hutton
PR4 5SB

Email: data.protection@lancashire.police.uk

If you wish to Complain

The Information Commissioner is the independent regulator responsible for enforcing the Data Protection Act and advising on privacy rights. The information Commissioner's Office contact details are as follows:

The Information Commissioner's Office can be contacted as follows:

Telephone: 0303 123 1113

Website: <https://ico.org.uk/make-a-complaint/>

Mail: The Information Commissioner's Office
Wycliffe House
Wilmslow
Cheshire
SK9 5AF