



## **RUSHCLIFFE BOROUGH COUNCIL**

# **ANTI-SOCIAL BEHAVIOUR INVESTIGATION, HATE CRIME AND ENFORCEMENT PROTOCOL**

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## 1. INTRODUCTION

Anti-Social Behaviour (ASB) can occur anywhere and at any time. It may occur in a private area or a public one and it is primarily generated through an individual's perception of an act being anti social. In other words the primary mechanism by which an individual will be triggered into thinking that an act was anti social in nature will be determined by what their perception is of 'social behaviour'. Clearly this perception will vary between individuals who live in the same area and will be determined by an individual's range of life experiences and beliefs. With this in mind it is very difficult to have a standardised response to allegations of ASB, as responses and investigations need to be sensitive to the perceptions of the victim. This document therefore attempts to set out the processes that Rushcliffe Borough Council ('the Council') will use, often in partnership with other agencies, to try and tackle allegations of ASB.

## 2. RUSHCLIFFE BOROUGH COUNCIL'S LEGAL DUTIES

The law places a variety of duties on the Council and these are set out below.

The primary duty is under [Section 17 of the Crime and Disorder Act 1998](#) and states that:

*“Without prejudice to any other obligation, every local authority...are under a duty to exercise their various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in it's area.(including anti-social and other behaviour adversely affecting the local environment)”*

The Council is committed to meeting the above legal duty, when dealing with Anti Social Behaviour, through employing a variety of measures and interventions that are proportionate to the problem being addressed. The Council also acknowledges that in addition to the general duty above, it may also have specific duties placed upon it by legislation e.g. duty to investigate statutory nuisances and the duty to deal with abandoned vehicles.

The Council also recognises that individuals may be owed a specific statutory duty by legislation e.g. the duty to assess a child's needs and make provision for them. These duties would be considered with relevant partners as and when necessary.

Finally the Council also recognises the general legal duties which are negative in nature e.g. the duty when taking administrative action not to act illegally, irrationally, or in a way that is procedurally improper; the various prohibitions on discrimination and the prohibition in [section 6 of the Human Rights Act 1998](#) on public authorities acting in a way that is incompatible with rights under the European Convention.

### 3. WHAT IS ANTI-SOCIAL BEHAVIOUR?

#### Definition of ASB

ASB is defined for the purposes of the law at [section 2 of Anti-social Behaviour, Crime and Policing Act 2014](#)

*"anti-social behaviour means (a)conduct that has caused, or is likely to cause, harassment, alarm or distress to any person, (b)conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or (c)conduct capable of causing housing-related nuisance or annoyance to any person"*

Section 29 of the Anti-social Behaviour Act 2003 stated that:

*"“anti-social behaviour” means behaviour by a person which causes or is likely to cause harassment, alarm or distress to one or more other persons not of the same household as the person.”*

Outside of the law the government has given guidance on the meaning of ASB as follows:

*"A pattern of behaviour which continues for a period of time but cannot be dealt with easily or adequately through the prosecution of those concerned for a single snapshot or criminal offence." (Home Office Guidance, March 1999)*

*"ASB...covers a whole complex of thoughtless inconsiderate or malicious activity." (Home Office Guidance, 2002)*

*"The common element in all ASB is that it represents a lack of respect or consideration for other people. It shows a selfish inability or unwillingness to recognise when one's individual behaviour is offensive to others and a refusal to take responsibility for it. More fundamentally it shows a failure to understand that one person's rights are based on the responsibilities we have towards others and towards our families and communities." (White Paper, 'Respect and Responsibility – Taking a Stand against Anti-Social Behaviour')*

ASB is therefore defined by the impact it has, or the likely impact that the behaviour could have had, on a victim.

As the definitions above will be interpreted based largely on individual perceptions and understanding of society this makes them very broad and nonspecific which in turn makes measuring and tackling ASB difficult. To address this, the Council has categorised ASB in line with the [Home Office Development and Practice Report 'Defining and measuring anti-social behaviour' \(2004\)](#). The behaviours are divided into four core areas according to whether they occur in a public space, whether they have a direct or indirect victim and whether the behaviour impacts on the environment. Sitting below the four core areas are sixteen types of ASB that are used for the categorisation and recording of complaints made to the Council (see Table 1). It also has to be recognised that some types of behaviour could fall under more than one heading and in this situation the most appropriate behaviour type will be selected for recording the complaint.

**Table 1:** The 16 Categories of ASB

<b>Misuse of Public Space</b>	<b>Disregard for community/ personal well being</b>	<b>Acts Directed at people</b>	<b>Environmental Damage</b>
Drug / substance misuse & dealing Street Drinking Begging Prostitution Kerb Crawling Sexual Acts Abandoned cars Vehicle related nuisance & inappropriate vehicle use	Noise Rowdy behaviour Unreasonable Behaviour Hoax calls Animal related problems	Intimidation / harassment Hate crime related	Criminal damage / Vandalism Litter / rubbish

Just as important as defining what constitutes ASB is defining what does not constitute ASB, as a failure to do this could result in almost any behaviour being treated as such. The broad definition of ASB means that reaching agreement about the meaning of the term is extremely difficult, as whether or not a type of behaviour satisfies the definition(s) will undoubtedly depend on an individual’s standpoint in relation to it.

The government has given guidance on what ought **not** to be considered as ASB:

*“run of the mill disputes between neighbours, petty intolerance or minor one-off acts.” (Home Office Guidance, March 1999).*

**What Is Not ASB And Will Not Be Investigated**

Limited resources require any investigations to be **targeted at the ASB** which the Council can have the greatest impact on. We are unable to control human relationships.

ASB can be difficult to define and there are some types of behaviour that are **not classed as ASB** and **will not be** investigated by the Council examples include, but are not limited to:

- Children playing in a public place e.g. streets, where they are **not** making excessive noise given the time of day, obstructing access to public space or causing damage.
- Low level neighbour disputes (Civil disputes), e.g. **over land boundaries, Trees, location of bins/shared driveways and parking** (Being unable to park outside your own home).
- Complaints of being **stared at or looked at**.
- Reasonable noise from vehicles on the highway carrying out their routine activities.
- One off noise nuisance such as a **one-off party** or BBQ.
- Children falling out with each other – Parents should not escalate such situations and make the circumstances worse than they need to be

- Certain incidents which may be considered a criminal offence and which **should be reported to and dealt with by the Police** such as Burglary and theft, including of vehicles. These may be recorded and the customer directed to the police or with consent the IO will refer to the police.

The Anti-social behaviour powers, [Statutory guidance for frontline professionals updated \(August 19\)](#) emphasises the importance of ensuring that the powers are used appropriately to provide a proportionate response to the specific behaviour that is causing harm or nuisance without impacting adversely on behaviour that is neither unlawful nor anti-social.

#### 4. A PARTNERSHIP APPROACH

It is accepted fully by the Council that a multi-disciplinary or 'partnership' approach is both necessary and appropriate to tackle ASB effectively. We will therefore work closely with all partners who can assist in solving or reducing ASB in an area. We will also be committed to working with affected neighbourhoods and communities to support and assist them in tackling ASB in their area.

The Council will liaise directly with the Neighbourhood Policing Officers through the South Notts Community Safety Partnership, Local Delivery and Tasking Group. Front line officers of the Council and its partners, including Neighbourhood Policing Officers, will meet up and liaise through the Anti Social Behaviour Working Group which meets on a monthly basis. The Council's Investigating Officers may also attend the Neighbourhood Policing tasking meetings or other multi agency meeting as deemed appropriate and within resources available to the Council.

#### 5. THE INCREMENTAL APPROACH TO ENFORCEMENT

The varied nature of ASB combined with the personal perception of severity requires the Council to use an incremental approach to interventions. A report of ASB made to the Council will be prioritised based on the severity and the likelihood of achieving a successful intervention. For example, a severe incident with no information on the perpetrator may be considered a lower priority than a less severe incident where reliable intelligence about the perpetrator is available. Clearly, having reliable information about the perpetrator is essential if successful action is to be taken by the Council or its partners.

The order in which the Council will generally approach reported incidents of ASB is as follows:

- (i) Warnings A verbal or written warning
- (ii) Support
- (iii) Legal Action

#### Warnings

In many cases the first action that will be taken by the Council is to bring the incident to the attention of any known perpetrator whilst at the same time warning them about their behaviour and the consequences of it. Warnings may be in writing or verbal but in all cases they will be recorded on the appropriate computer system for future reference.

Warnings may also be issued to parents or guardians where the perpetrator is under the age of 18 and / or the circumstances of the case are such as to require it.

## Support

Support may be given to individuals who have been found to be engaging in ASB through various mechanisms e.g. **Acceptable Behaviour Contracts (ABC's)**, [Mediation](#), or **referral to other agencies**. This type of action inevitably requires the co-operation of the perpetrator and a willingness to want to change their behaviour. It may also be necessary to offer support to parents or guardians of the perpetrators of ASB and this can be provided through a variety of mechanisms e.g. Parenting Support Classes.

## Legal Action

Appropriate legal action will be taken against individuals who have failed to respond to the warnings given or support offered. The first two stages of intervention may be bypassed and legal action sought as the first intervention in cases where the nature of the ASB is so severe that it warrants immediate action e.g. closure of a crack house. The legal powers available to the Council, the Police and/or social Housing Landlords are wide ranging and may include the use of

- [Civil Injunction](#),
- [Criminal Behaviour Order](#),
- **Dispersal Power**,
- [Community Protection Notice \(CPW/CPN\)](#),
- **Statutory Nuisance**,
- **Use of Public Spaces Protection Order**,
- **Closure Power Criminal Prosecution**, or
- **Issuing of Fixed Penalty Notices**.

Any decision regarding the taking of legal action will be made after full consideration of the available evidence and will be in accordance with the principles set out in the Council's Corporate Enforcement Policy available at

<https://www.rushcliffe.gov.uk/about-us/about-the-council/policies-strategies-and-other-documents/accessible-documents/corporate-enforcement-policy/>

## 6. RECORDING OF INCIDENTS

The Council will record all incidents reported to it on the appropriate database and any actions taken in response to the incident. The Council will also record information about individuals who are allegedly involved in acts of ASB. Information relating to individuals will be held on the Uniform database and information may be shared with partners through ECINS a police and partners database or share by secure communications. Our privacy policy and data protection statements are available at

<https://www.rushcliffe.gov.uk/about-us/about-the-council/data-protection/>

## 7. CASE INVESTIGATION AND LEAD AGENCIES

Where it is necessary to do so the Council will refer incidents and / or individuals to partner organisations for investigation. Referrals will take place and be based upon the individual merits of the case in question. Once again, because of the varied nature of ASB, it is not

possible to specify the types of cases which will be investigated by the Council and those which will be investigated by other organisations.

It is only possible to generalise about the investigation of cases except where a specific duty has been placed on the Council to deal with certain matters e.g. abandoned vehicles or noise nuisance. The table below sets out who will generally lead in the investigation of cases, however, the specific detailed nature of the case will be the main factor affecting which organisation actually takes the lead.

**Table 2 ASB list and lead Agency**

<b>Type of ASB</b>	<b>Lead Agency</b>	<b>Additional Notes</b>
Abandoned Vehicles	Rushcliffe BC	RBC is under a legal duty to take action
Animal related problems	Rushcliffe BC	May involve Police or Registered Social Landlord
Begging	Police	May be a homelessness issue
Criminal Damage / Vandalism	Police	With support from partner agencies
Drug / substance misuse & dealing Smell of drugs	Police	Clearance of drug paraphernalia may involve RBC
Fly Tipping	Rushcliffe BC	May be referred to the Environment Agency
Graffiti	Rushcliffe BC	Close work with the Police to apprehend perpetrators
High Hedges	Rushcliffe BC	Legal duty to investigate falls to the Council
Hoax calls	Agency affected	May require specialist assistance
Intimidation / harassment	Police / Rushcliffe BC	Can be 'civil' as well as a 'criminal' offence
Kerb Crawling	Police	Support agencies may be involved
Litter / rubbish	Rushcliffe BC	May require PCSOs to support in hot spot areas
Noise	Rushcliffe BC	RBC may be under a legal duty to take action
ASB alleged hate related	Police/Rushcliffe BC	Case will be referred to the police

Type of ASB	Lead Agency	Additional Notes
Prostitution	Police	Support agencies may be involved
Rowdy behaviour	Police / Rushcliffe BC	Lead authority often determined by location and cause of rowdiness e.g. Youth Services may lead where young people hanging around is the cause of the rowdiness.
Sexual Acts	Police	Support agencies may be involved
Street Drinking	Police	The Council may help with PSPO's
Unreasonable Behaviour	All agencies	Very wide ranging behaviour types fall into this category
Vehicle related nuisance & inappropriate vehicle use	Police / Rushcliffe BC	Lead agency depends on the type of ASB reported

Effective partnership working is reliant upon the most appropriate agency taking the lead in investigating a case with the support of others where possible and appropriate.

Some incidents may be resolved quickly and easily by the lead agency, falling neatly into their work area. However, the majority of ASB incidents are more complex, and can involve a number of types of ASB, the solutions for which require the input of a number of different agencies. In order to ensure that all relevant agencies are involved, and to maximise cooperation between partners, an Anti-Social Behaviour Working Group has been established. Acting as a sub group of the South Notts Community Safety Partnership, Local Delivery and Tasking Group, it meets on a monthly basis to review progress and agree actions against individual cases and hot spot areas. The membership of the group represents those agencies with a 'front line' function and interest in the cases on the agenda. The group is chaired and administered by the Neighbourhoods Service.

Some cases may be more complex and involved in nature and where more detailed discussion is required, separate case conference meetings will be held involving all the relevant partners.

## **8. HOW WE RESPOND TO A COMPLAINT FOR A REQUEST FOR SERVICE**

### **Stage One – Investigation**

The Council, once it has accepted a complaint, will begin its investigation. Where reported anti-social activity also includes a criminal element, the investigating officer will liaise with Nottinghamshire local Police to obtain further information and/or advice with reference to Table 2 above. The initial stage will be focused on the gathering of evidence and may include any of the following techniques:

- Taking witness statements

- Requesting diary sheets to be completed to log incidents
- Use of CCTV cameras
- Use of sound recording equipment
- Informal interviews
- Interviews under caution
- Site visits / inspections
- Case conferences

Investigations may be short lived or take a significant period of time depending upon a variety of factors e.g. frequency of the alleged occurrence, complexity of the evidence, availability of resources, co-operation of the perpetrators, willingness of witnesses. Investigating Officers will explain to complainants how an investigation is proceeding and keep them updated at a regular frequency throughout the course of an investigation. Complainants will be given the investigating officers direct phone number and will be able to contact him / her during normal working hours. If the investigating officer is unavailable then another competent officer may deal with a request although it has to be accepted that their knowledge of a particular case may be limited and if this is the case then they may not be able to comprehensively deal with a query immediately. Investigating officers work on a multi-agency approach with ASB and this may involve sharing of information with the police or housing association and/or joint working visits and communications.

### **Stage Two – Taking Action**

Once evidence has been gathered a decision will be taken on the most appropriate course of action. The response must be proportionate to the severity of the behaviour and the quality of the evidence obtained. Actions may include any of the following:

- No action e.g. where insufficient evidence is obtained
- Issuing of a warning letter
- Service of a formal notice
- Issuing of a [Fixed Penalty Notice](#) e.g. dog fouling, fly posting
- Arranging a voluntary agreement e.g. an Acceptable Behaviour Contract
- Applying for a formal court order e.g. eviction, injunction, Criminal Behaviour Order
- Community Protection Warning/Notice,
- Prosecution e.g. breach of a noise abatement notice
- Referral to another agency

Decisions on the most appropriate course of action to take will not always be made in isolation and may well involve partner(s) input. Complainants will be advised of any action that is taken when it is appropriate and legal to do so. Some cases involving minors may restrict what information if any can be released to the public.

### **Stage Three – Monitoring Activity**

Once a course of action has been taken, the Council will monitor activity levels to see whether or not the situation is improving. Complainants will also be asked to monitor the situation and report any activity to the Investigating Officer so that appropriate action can be taken to enforce any formal court orders, statutory notices, or voluntary agreements. Monitoring may reveal that the problem has stopped, reduced, continued, or got worse.

Depending on the findings of the monitoring exercise a decision will be made on the most appropriate course of action and this may be to do nothing or escalate the action e.g. decision to prosecute for breach of any order in place such as Civil injunctions, CPNs or CBOs.

#### **Stage Four – Closing a Case**

The Council will close cases once action has been taken which has effectively reduced the ASB to an acceptable level. In some cases this may require a complete elimination of the behaviour whereas in others a reduction in the activity may be sufficient e.g. it is generally accepted that a complete elimination of littering is not possible. When a case is closed the Council will write to you advising that the case is being closed and at this stage you are able to make representation to the Council if you want the case to remain open. Usually further evidence will be required if a case is to be kept open.

### **9. CUSTOMER FEEDBACK**

When a case is closed, the Council will send out a customer feedback questionnaire to the complainant asking for their opinion about the quality of the service they received. It will ask them to indicate whether or not they felt the problem got better, stayed the same, or got worse, as a direct result of the Council's activity. In order for the Council to improve its ASB investigation service it is vitally important that it receives feedback from those that have used the service and complainants will therefore be encouraged to complete the questionnaire in an open and honest manner.

In addition to the customer feedback questionnaire feedback can be sent at any stage of an investigation by using any of the following:

- At <https://www.rushcliffe.gov.uk/about-us/customer-services/>
- our online Official Complaints Form at [www.rushcliffe.gov.uk](http://www.rushcliffe.gov.uk)
- e-mail to [customerfeedback@rushcliffe.gov.uk](mailto:customerfeedback@rushcliffe.gov.uk)
- our Customer Feedback form available through the Rushcliffe Customer Contact Point, West Bridgford Library, Bridgford Road, West Bridgford, NG2 6AT
- by letter to the Environmental Health Manager, Rushcliffe Borough Council, Rushcliffe Arena Rugby Road West Bridgford NOTTINGHAM NG2 7YG
- call our Customer Services Centre on 0115 9819911
- in person at the Rushcliffe Customer Contact Point, West Bridgford Library, Bridgford Road, West Bridgford, NG2 6AT
- get someone else, for example, your local councilor or Member of Parliament to send us feedback on your behalf.

### **10. COMMUNICATION**

Keeping the public informed of action that has been taken is recognised as a vitally important element of reducing the fear of ASB and promoting parity between perception and reality of ASB in the minds of the public. The Council will use the most appropriate manner of publicising issues and actions to maximise positive impact within affected communities. This may include any or all of the following:

- Articles in Council and Parish Council publications

- Leaflet drops in targeted areas
- Door to door communication
- Use of appropriate websites and forums and social media
- Email and SMS (text) alerts through suitable media e.g. Ringmaster
- Poster campaigns
- Press releases and through our website
- 1 to 1 meetings
- Public meetings

The list is not exhaustive and the critical point is that the most appropriate method of communicating is used. This decision will be made on a case by case basis and in line with any guidance issued e.g. "[Publicising Sentencing Outcomes Guidance for public authorities on publicising information](#)" – 2011. Where partners are involved then they too will be consulted to ensure that where possible all communication needs are met. The Council will consult its Public Relations Officer (or equivalent) for advice on communication issues where it is appropriate to do so.

## 11. COMMUNITY TRIGGER

What is the Community Trigger?

The Community Trigger is a way that members of the public can ask for their complaint of antisocial behaviour (ASB) to be reviewed if the complainant believes there has been a failure to respond appropriately to their complaint.

The Community Trigger criteria is:

"The victim/s has/have complained to Rushcliffe Borough Council, the Police and/or a Registered Social Landlord three times about separate incidents of antisocial behaviour within one month beginning with the date on which the behaviour is alleged to have occurred."

The ASB trigger procedure is available at on our [website \(opens in new window\)](#). You can raise a community trigger by downloading and completing the form at [ASB Case Review Application Form and procedure \(103.09 KB, application/vnd.openxmlformats-officedocument.wordprocessingml.document\)](#)

Hate crime can affect us all. Hate crime is the targeting of individuals, groups and communities because of their identity and it can have a devastating and psychological effect on its victims. Whilst it is often perceived that hate crime affects a small number of individual victims, the nature of hate crime is that it is based on prejudice, hostility or hatred towards a particular group in society, and therefore it has an impact on the wider community.

Hate crime is widely accepted amongst public authorities to be hugely under reported. Some victims do not even realise that they have been a victim of a hate crime and will not report the incident as they either do not know how to report, or feel they will not be

taken seriously. Hate crimes are often tolerated by victims, who then go on to suffer severe trauma and a distress which will affect their everyday lives.

Victims often suffer repeat attacks, which will cause further trauma and may also then impact on the victim's family and possibly wider community. Experiencing a hate crime as an individual or witness may leave the person feeling angry, fearful, isolated, distrustful and afraid.

Rushcliffe Borough Council understands the importance in addressing this crime and will act to ensure that all relevant partners work together to prevent hate crime and encourage reporting of incidents.

### **Aims and objectives**

The aim of this protocol is to ensure that all employees

- Are aware and recognise a hate crime and the impact on the victim
- Encourage the reporting of all hate incidents
- Have knowledge of how and where to report a hate incident
- Identify the needs of the victim in order to deal sensitively with their complaint
- All complaints taken face to face are logged recorded and referred to the police
- All complaints received over the telephone will be referred to call police 101, or 999 in an emergency

### **Definition**

Hate crime is **any criminal offence** committed to the victim or their property where the perpetrator is **motivated** by hostility towards the victim because of their:

- Race/ethnicity
- Disability
- Religion/beliefs
- Sexual orientation
- Transgender identity

It is important to recognise the difference between a hate crime and a hate incident –

'all hate crimes are incidents, but not all hate incidents are crimes'

Hate incidents are incidents that do not constitute a criminal offence but do cause alarm, distress or harassment where it is believed the victim has been targeted because of their **race/ethnicity, religion, gender identity, disability, sexual orientation - or any other actual or perceived difference.**

Hate crimes are any crimes that are targeted at a person because of hostility or prejudice. The Council has a key role to play in preventing and reporting Hate Crime and this would

include for example antisemitism which is defined by the [International Holocaust Remembrance Alliance Guidelines](#) as:

**“Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, towards Jewish Community institutions and religious facilities.”**

**Rushcliffe Borough Council has adopted this definition of anti-Semitism.**

A hate crime is a **criminal act** by the perpetrator where the victim has been targeted because of their **race/ethnicity, religion, gender identity, disability, sexual orientation** - or **any other actual or perceived difference**. This could include:

- assault - including pushing, spitting, or pulling at clothes
- threats, verbal abuse and abusive gestures
- damage to property
- offensive letters and graffiti
- online abuse
- harassment

There might be a single incident or a series of incidents.

It doesn't matter where an incident takes place, it can still count as a hate crime  
Deliberate and targeted acts intended to deter residents from living in their home or to force them to leave

Cyber – hate crime makes up a large proportion of cybercrime. Individuals can be sent offensive text messages or emails or they may be contacted or targeted through a social media site. Attacks can be anonymous and therefore it might be difficult to locate the source and secondly can be a very public way of attempting to intimidate an individual. Additional issues for people are that these 'virtual' hate crimes can occur anywhere and can happen 24/7.

Find out more about hate crime and report it to [True Vision](#).

There is further information available at <https://www.stophateuk.org/hate-crime-awareness-week/> and on Rushcliffe BC website at [Community Safety - Rushcliffe Borough Council](#) (<https://www.rushcliffe.gov.uk/environmental-health/community-safety/>)

## **Responsibilities**

Rushcliffe Borough Council is a reporting centre and does not currently monitor hate crime incidents. Hate incidents are monitored and investigated by service partners including the Police. Rushcliffe council officers will investigate crimes and complaint of ASB and where there is a concern raised alleging the incident is hate related the customer will be encouraged to refer to the police. Any incident that is hate crime related and subject to enforcement, any action deemed appropriate will be subject to the motivation for any incident that occurred .

## Reporting

There are a number of methods by which a member of the public may report a hate crime as set out below:

An emergency call to the police - 999

A non-emergency call to the police - 101

In person to the police:

Cotgrave Police Station  
Scotland Bank  
Cotgrave  
Nottingham  
NG12 3JZ

Through the police force website – [www.nottinghamshire.police.uk](http://www.nottinghamshire.police.uk)

Via the True Vision website – [www.report-it.org.uk](http://www.report-it.org.uk)

Through Rushcliffe Borough Council website – [www.rushcliffe.gov.uk](http://www.rushcliffe.gov.uk)

Rushcliffe Customer Contact  
Point, West Bridgford Library,  
Bridgford Road, West  
Bridgford, NG2 6AT

## 12. PRIVACY AND DATA PROTECTION

Our privacy policy and data protection statements are available at <https://www.rushcliffe.gov.uk/aboutus/aboutthecouncil/dataprotection/>

### I. Information we collect about you

We may collect and process the following data about you:

- information provided voluntarily by you. For example, when you register for information, apply for a particular service or make a comment or complaint
- your personal information will not be shared with any third party, other than our data processors, for the delivery of the requested service
- information that you provide when you communicate with us by any means such as email, letter or telephone call
- information collected using cookies on your computer about how you browse our website.

### II. Use of Your Personal Data

The information you have provided to the Council will be used by the Council in adherence with its statutory obligations, including enforcement action if required.

The Council is legally able to process your personal data:

- when you have freely and explicitly provided your consent to this processing or
- when the Council has a statutory duty to collect and process this information to provide the required service or undertake a statutory function.
- when your personal data forms part of a contract between you and the Council.

The consequence of you not providing personal information to the Council is that the Council will be unable to process your enquiry, assessment or application.

### III. Sharing of Personal Data

The personal information you provide will not be shared for any other purpose unless required by law, to prevent or detect crime or to protect public funds.

Additionally the Council must make public certain details in the form of a public register where it has a statutory obligation to do so. For example, registers of private hire drivers.

The categories of organisations we may share your personal information with are:

- statutory and other public bodies.
- measure how you use the website so it can be updated and improved based on your needs
- recognise the browser you use
- track new and returning users.

#### **IV. Protecting Your Personal Data**

Your unpublished personal data will be kept secure by the Council and will be kept within the European Economic Union (EEU). Where the Council uses a third party to store your personal data and it is stored outside of the UK/EEU, the Council will ensure that appropriate safeguards are in place to keep your personal data secure.

#### **V. Keeping Your Personal Data**

The Council will keep your personal data in accordance with the Council's [information-retention-schedule](#). unless you explicitly request it to be removed. This right to have your data removed is not an absolute right, for example, we will need to retain your data if this information forms part of a statutory or legal obligation, public registry or an existing contract