

Northamptonshire Business Crime Partnership (NBCP)

Privacy Notice – General Data Protection Statement

This statement confirms that the Northamptonshire Business Crime Partnership (NBCP) has a commitment to protect your privacy and to process your personal information in a manner which meets the requirements of the General Data Protection Regulations (GDPR) and the Data Protection Act 2018. This includes both Personal information about Members and also Special Category Data and Criminal Activity around identified and unidentified Offenders.

The NBCP have made these changes to our Privacy Statement to reflect the high standards established by the General Data Protection Regulation (GDPR), a set of laws passed by the European Union. The UK Government have already committed to these standards of protection irrespective of Brexit.

Who we are and what we do

- The Northamptonshire Business Crime Partnership (NBCP) is a membership organisation established to assist member businesses to respond in an organised manner to Retail Crime and Anti-Social Behaviour that affects their businesses, profitability, staff, customers and the local economy. By working together and sharing information about crime and those committing it, the partnership provides greater protection for its members and the local business community.
- Business crime is identified by the National Police Chiefs' Council as "any criminal offence that is committed against a person or property which is associated by the connection of that person or property to a business".
- The partnership is registered with the Information Commissioner for the purpose of 'the prevention and detection of crime and the prosecution of offenders' under **Registration Number ZA152793**
- We operate lawfully using the provisions of the Data Protection Act 2018.
- We process Personal Data as we have identified a **LEGITIMATE INTEREST** on behalf of our Members.
- We also process Special Category Data under Schedule 1, Part 2 of Date Protection Act 2018 as we have a **substantial public interest** in preventing and detecting unlawful acts.
- We also process alleged or suspected criminal activity under Schedule 1 Part 3 of the Data Protection Act 2018, Paragraph 36 for **Substantial Public Interest**.

What personal information we may process

The Personal information we collect for Members may include:-

- Names, business addresses.
- Contact information
- Occupation and company details

We may use this information for the following reasons:-

- To manage membership and payment details.
- To send you information which we think may be of value or interest or to improve our member services
- We may monitor or record any communication between you and The Northampton Business Crime partnership (NBCP) for quality control and training purposes.

- Members may at any time 'unsubscribe' from receiving any electronic communications from ourselves, but that will also cease access to DISC.

The Personal Data, Special Category Data and Criminal Activity we collect about identified and unidentified Offenders may include:-

- Names, Images (Police Custody Images & Members' CCTV and other Images), date of birth, descriptions, **ethnicity**, aliases, **associates who commit retail crime (including partners)**, vehicles, **arrests, suspected/attempted criminal or anti-social activity, convictions, warning markers.** (bold indicated Special Category Data)

We may use this information for the following reasons:-

- We have defined a Legitimate Interest working on behalf of our Retail Business Members.
- The prevention and detection of crime and the prosecution of offenders who are, or are suspected of being, involved in business crime, where that crime, anti-social behaviour or other criminal activity impacts upon our members or the business community.
- Special Category Data is processed under Schedule 1, Part 2 of the DPA 2018 in that we hold a 'Substantial Public Interest' in 'preventing and detecting unlawful acts' and that we use ethnicity and associates data for the purposes of identification.
- Alleged or Suspected Criminal activity (Partnership data supplied by Members) is processed under Schedule 2, Part 3, Para 36 of the DPA 2018 for the 'Substantial Public Interest' to share data with our Members only if it's necessary for the purposes of the Scheme. Criminal Convictions data will only be processed from the Public Domain.

How we may use this information operationally

- We analyse data and examine whether it is capable of being used to detect, prevent or reduce crime which is committed in our area of operation. Where this data is assessed as being relevant to our purpose as defined above, we may make it available to our members through electronic or other means.
- An Individual must be classed as Prolific and therefore a potential risk to our members for their image, details and activity to be shared with members.
- Prolific is defined as one or more incidents or intelligence of Retail Crime or Anti-Social activity within the past 12 months. This information or intelligence can come from Members (Partnership Data), Partner agencies or Police (Police Data)
- When a Prolific Offender is reported by a Member for participating in Retail Crime or ASB to any Member's property, staff or customers, his/her name, date of birth and image together with any relevant information of offences or offending behaviour may be shared among Members for 12 months in 'Intelligence Sought' Gallery. If no further report is submitted during that period, the Offender's data will be withdrawn from Members at the expiry of that period. It will be retained for a further 12 months in the Scheme's database (which can only be accessed by the Data Controller and authorised personnel) after which time, if no further incidents are reported, it will be irrevocably deleted.
- If during the 12 months, when a Prolific Offender's data is circulated among Members as 'Intelligence Sought' he/she is reported for another incident involving Retail Crime or ASB to any Member's property, staff or customers, his/her name, date of birth and facial image will be circulated among Members for a further 12 months from the date of the second report. Additionally, the Offender may be excluded from all the properties of all or some Members for 24 months, and this fact will be shared with Members in the 'Excluded Offenders' Gallery for the relevant Town/Area. If no further report is submitted by a Member during that period, the Offender's Exclusion Period, data will be reverted to 'Intelligence Sought' Gallery at the expiry of that period. It will then be retained for a further 12 months in the Scheme's database (which can only be accessed by the Data Controller and authorised personnel) after which, if no further incidents are reported within 12 months, it will be irrevocably deleted.

- The NBCP has a strict **zero tolerance policy** where Retail Offenders commit any form of **Violence, Abuse or Threats, especially Hate Crime** against any Member Store's Staff, Security or Police on Deter, Arrest or Detention. Should an Offender breach this policy, they may be liable to be served an Exclusion Order for a **36month** period on first Incident, **48 months** on second Incident and **60 months** on third Incident.
- The NBCP operates under an Information Sharing Agreement (ISA) with Northamptonshire Police. This allows the NBCP to appropriately access and share the Police Images of Prolific Offenders where there is a necessity and proportionality.
- Where there is evidence that offenders are operating over a wider region, we may share that information with other accredited business crime reduction partnerships (BCRPs) or police.
- We may communicate data to the police or other public agencies, where it is relevant to do so for the purposes of the prevention and detection of crime, and the prosecution of offenders, or for other lawful reasons relating to the public objectives of those organisations.
- Where a person has been notified that they have been excluded from the premises of our members for criminal or anti-social behaviour, we will endeavour to serve a copy of the notice on the excludee by post or via the Police.
- We process Prolific Retail Offender Data and Exclusion Orders for persons aged 18 to 70 with authorised exceptions.
- We may process data of Young Persons aged 16 to 17, but we seek direct approval from a Police Inspector, in writing, to do so. Each instance will be holistically assessed against necessity, proportionality, threat and risk.
- We do not share any data of Children under 16 years old, other than with the Police and Council ASB Units, unless specific permission is provided in writing by a Police inspector for the relevant area.
- We do not process images of any person who appears to be under 16 years old without written authorisation by a Police Inspector.
- We may process data of persons aged over 70, but we seek direct approval from a Police Inspector, in writing, to do so. Each instance will be holistically assessed against necessity, proportionality, threat and risk.
- Any actual or attempted illegal activity or breach of an Exclusion Order notified to the NBCP by our Members may be processed and shared to other NBCP Members, Police and selected Partners.
- On commencement of processing Personal Data, we will notify Subjects by post if we have a current verified address. However, where we do not possess a current verified address; or contact details and the provision of notifying the Data Subject would be impossible; or could prove to be a disproportionate effort; or may lead to a potential Data Breach, we cannot do so. In these circumstances, failing to process relevant and necessary data could likely seriously impair the achievement of the objectives of the processing of that activity of Data Subjects classed as Prolific.

Security

- The Northamptonshire Business Crime Partnership has appropriate technical and organisational measures in place to prevent the unauthorised or unlawful processing of your personal and/or sensitive information, and accidental loss or destruction of, or damage to, your personal and/or sensitive information.

Retention of personal information

- **Members** - We will not keep your personal information for longer than is necessary for our purposes and in any case no longer than 7 years after you cease being a member. This is reflected in our Terms and Conditions.

- **Offenders** – We will not retain sensitive information for longer than is necessary for our purposes and in any case no longer than 12 Months after last reported activity or end of Exclusion Order , when any record will be securely deleted. Additionally, we will not retain any information that is longer than 5 years old. This is in conjunction with your '**Right To Be Forgotten**' (**Data Erasure**)

Your rights to access your personal information:

You are entitled, pursuant to the Act, to ask for details of the personal information that we hold about you, for which there will be no charge, and to have any inaccuracies in your information corrected. Disclosure will only be permitted in accordance with the Act to **persons who have provided identification.**

- Where we hold data for which we are not the data controller, we will not release that data.
- Where data relates to other persons, we will not release that data unless an application is received from that person.
- We will **NOT** release any data or investigate whether we hold any data until we have firmly established identity. This may mean that the applicant will need to produce their original Passport, Driving Licence or other Identity Documents in person.
- We may not release data to you, the Data Subject, which we assess as confidential and which may either interfere with a criminal investigation or which may assist persons committing crime.
- We may have to redact (censor or obscure) for legal or security purposes, especially if the information is concerning another Individual or classed as confidential as above. This is in accordance with the DPA 2018.
- Should you wish to access your information, or have any other enquiries about data protection, please go to the 'Contact us' page on the website www.retailcrime.org, email us to info@retailcrime.org or write to us at:-
Northamptonshire Business Crime Partnership (NBCP)
PO BOX 261
Northampton
NN1 2WQ

If you have any issues with any Subject Access Request, please contact us. We will acknowledge and respond to all requests over data access within 30 days of receipt. Where a request is received to rectify, erase or restrict any personal data shared under this agreement relevant parties must inform each other, where possible and proportionate to do so.

Cookies

Cookies are text files, which identify a user's computer to our server. Cookies in themselves do not identify the individual user, just the computer used.

The Northamptonshire Business Crime Partnership (NBCP) websites at www.retailcrime.org or www.disc-net.org/nrci has a number of features that may require the use of cookies. We only use this information to ensure users' preferences for viewing the website are maintained.

Users may, of course, choose not to accept cookies from the Northamptonshire Business Crime Partnership website. This might mean that their browser will not remember that visitors have changed their preferred text size and/or NBCP members have logged in and they will therefore have to reselect their preferred text size and/or log in to have access to the Members Only pages on every visit to the www.retailcrime.org or www.disc-net.org/nrci websites. Further information about cookies can be found at: www.aboutcookies.org

Links to other websites

There are hyperlinks within this website which will take you away from the www.retailcrime.org or www.disc-net.org/nrci websites. The linked sites are not under the control of NBCP and we are not responsible for the content of any linked site or any link contained in a linked site, or any changes or updates to such sites. The NBCP is providing these links to you only as a convenience, and the inclusion of any link does not imply endorsement by the NBCP of these sites.

Complaints

Please contact ourselves at info@retailcrime.org or write to :-

Northamptonshire Business Crime Partnership (NBCP)
PO BOX 261
Northampton
NN1 2WQ

Or contact the:-
Information Commissioner's Office
<https://ico.org.uk/concerns>