



# Privacy Notice

The Civil Nuclear Constabulary (CNC) is a specialist armed police service dedicated to protecting the civil nuclear industry. We protect civil nuclear sites across England and Scotland, safeguarding nuclear material in transit and playing a key role in national security.

Under the GDPR and Data Protection Act 2018 (DPA), we are required to explain what information we hold about you, why we hold information about you, how we use that information and whether we will share that information with anyone else.

This Privacy Notice explains how the CNC processes personal data relating to members of the public. It also outlines the steps we take to ensure that personal data is protected and describes the rights individuals have in relation to the data we process.

Personal data is any data that can be used to identify a living individual, on its own or in combination with other available information. References to names, identification numbers and location data are all personal data. Processing means anything we do with the data and includes collecting, storing, and sharing.

## 1. Data Controller

The Chief Executive Officer / Chief Constable is the Controller for any personal data processed by the CNC.

## 2. Data Protection Officer

The Data Protection Officer is Julie Carlisle and she can be contacted via [data.protection.officer@cnc.pnn.police.uk](mailto:data.protection.officer@cnc.pnn.police.uk)

### **3. What information do we collect about you?**

The personal data we collect and use may include personal data and special category personal data (also referred to as sensitive processing).

Types of personal data we process may include information such as:

- Personal details such as name and address
- Sound and visual images
- Financial details
- Intelligence material
- Complaint, incident and accident details
- Employment details

Special category personal data (also referred to as sensitive processing) may include personal data revealing:

- Racial or ethnic origin
- Political opinions
- Religious beliefs, or philosophical beliefs
- Trade union membership
- Physical or mental health
- Sex life or orientation
- Genetic or biometric data

The CNC will only use the minimum amount of personal information necessary to carry out a particular activity.

### **4. Where do we obtain data from?**

We collect personal data from a range of sources in the exercise of our functions. For example, we may collect data from partner agencies, via direct reporting from the public and from information that is publicly available.

We also process personal data that is collected in the course of our administrative functions. For example, staff administration, recruitment, procurement, property management, advertising and media.

## **5. Whose personal data do we handle?**

In order to carry out our functions, we may process information relating to:

- Victims
- Witnesses
- People convicted of an offence
- People suspected of committing an offence
- Complainants, correspondents and enquirers
- Consultants and other professional experts
- Suppliers

We also process data relating to existing and former members of staff.

Information is likely to be held in various forms, including electronically in emails and in the CNC's electronic filing system and databases as well as in paper-based records. It may also be held in other electronic forms such as CCTV.

## **6. Why do we use personal data?**

The CNC may process personal data for law enforcement purposes as defined in the Data Protection Act 2018. These are for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including the safeguarding against and the prevention of threats to public security.

In partnership with the civil nuclear industry, national security agencies and regulatory bodies the CNC will deter any attacker whose intent is the theft or sabotage of nuclear material whether static or in transit. If an attack occurs CNC will defend that material and deny access to it. If material is seized or high consequence facilities compromised the CNC will recover control of the facility and regain custody of the material.

We also process data for the purposes of safeguarding National Security, including National Security Vetting for CNC staff.

The legal basis for processing law enforcement data, in the vast majority of cases, is that it is necessary for the performance of CNC functions. Alternatively, on rare occasions we may ask for your consent. More details about consent are set out in paragraph 7. The CNC's functions are set out in the Energy Act 2004.

We will only use personal information when the law allows us to and where it is necessary and proportionate to do so.

We may also process data for non-law enforcement purposes such as when we recruit and vet potential employees, for staff administration, managing media relations, and research. Where we process data for non-law enforcement purposes, the processing is likely to be based on the following grounds:

- It is necessary for performing a contract;
- It is necessary to comply with a legal obligation;
- It is in the public interest to do so;
- It is for official purposes;
- We (or someone else) has a legitimate interest to do so, and it is necessary and balanced against your own interests, rights and freedoms
- It is necessary to use your personal information to protect your vital interests (or someone else's vital interests).
- You have given your consent for the processing of your personal data. More details are set out in paragraph 7.

Where we process special categories of personal data, or undertake sensitive processing, we will do so in accordance with the specific conditions of processing set out in the GDPR and the Data Protection Act 2018. It is likely that we will rely on the following conditions:

- Where we have your explicit consent
- Where it is necessary to carry out obligations or rights in relation to Employment laws
- Where it concerns a medical diagnosis, or the medical assessment of your working capacity
- Where the data has already been made public by you
- Safeguarding of children and individuals at risk, and protecting the vital interests of you or another
- Where it is necessary for the purpose or in connection with any legal proceedings, legal advice or establishing, exercising or defending legal rights
- Where it is necessary for archiving purposes in the public interest, historical research or statistical purposes
- Where it is for the purposes of the exercise of the CNC's functions **and** it is in the substantial public interest
- Where it is necessary for the administration of the systems of courts and of law enforcement, or the exercise of a function that the CNC is required to carry out by law.

In addition to processing data relating to criminal convictions and alleged criminal behaviour for the purposes of law enforcement, we may also collect and process that data for our administrative functions, such as recruitment. We will only use information relating to criminal convictions or alleged criminal behaviour when the law allows us to do so. This can arise when it

is necessary for us to comply with the law, or where it is in the substantial public interest for us to exercise our functions.

## **7. Asking for your consent to process personal data**

On rare occasions, where the most appropriate condition for processing data is consent, the CNC may ask for your explicit consent in order to lawfully process your data. This will only happen in specific and limited circumstances and won't usually be relevant to law enforcement data. When we do ask for your consent, we will explain clearly what we are asking for and how we will use it.

Consent must be freely given, specific and informed and there must be a genuine choice about offering your data. Where we are processing data based on your consent, you have the right to withdraw that consent at any time.

When we ask for your consent, we will tell you how we will process your data, how long we will keep it for and the steps we will take to delete it. We will also outline the steps we will take if you decide to withdraw consent and will explain whether you are under a statutory or contractual obligation to provide the data.

## **8. How long do we keep personal data?**

The CNC will retain data for as long as is necessary for the particular purpose or purposes for which it is obtained and in line with the requirements of data protection legislation, taking into account factors such as the content and sensitivity of the data, the purposes for which the data is processed, and any legal or business requirements. We will securely dispose of your data when it is no longer necessary to retain it.

## **9. Who will we share data with?**

It may be necessary for CNC to share data with other law enforcement agencies, both nationally and internationally, and with partner agencies working on crime reduction and prevention initiatives. We may also share data with a range of other bodies such as the press and media, service providers, current, past and prospective employers, voluntary sector organisations, financial institutions and regulatory bodies, other government departments and similar bodies, courts and tribunals and your legal representatives.

We will also disclose personal information to other bodies or individuals when required to do so by law.

The CNC takes steps to ensure that any disclosures of personal data, however obtained, comply with the provisions of the Data Protection Act 2018 and GDPR. This includes ensuring that any disclosures are necessary and proportionate, and that necessary safeguards are in place.

## 10. How do we keep your data secure?

Your personal data will be processed securely. We have put in place appropriate technical and security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions.

## 11. Your rights as a data subject:

Under the GDPR and Data Protection Act 2018 you have a number of rights that you can exercise in relation to the data we process about you. Under certain circumstances, by law you have the following rights as a Data Subject:

**The right to be kept informed** of how your data is being collected and used

**The right of access:** You have the right to request access to your personal information (commonly known as a subject access request). This enables you to receive a copy of the personal information we hold about you and check that we are lawfully processing it and that it is accurate. There are some exemptions, which means you may not always receive all the information we process.

**The right to rectification:** You have the right to ask us to rectify information you think is inaccurate, and to complete information you think is incomplete.

**The right to erasure:** This enables you to ask us to delete or remove personal information in certain circumstances, such as where there is no lawful reason for us to continue to process it.

**The right to restrict processing:** This also enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it, where

the processing forms part of our public tasks, or is in our legitimate interests.

**The right to data portability:** This only applies to information you have given us. You have the right to ask that we transfer the information you gave us from one organisation to another or give it to you. The right only applies if we are processing information based on your consent or under, or in talks about entering into a contract and the processing is automated.

**The right to object to processing:** this applies only in certain circumstances

### **Rights related to automated decision making including profiling**

***Please note that when your data is being processed for law enforcement purposes some of the rights listed above may be restricted.***

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we are allowed under the law to charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we can refuse to comply with the request in such circumstances.

We sometimes need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Further information about these rights can be found within the Data Protection Act 2018 and on the Information Commissioner's Office website: [www.ico.org.uk](http://www.ico.org.uk)

**To exercise any of these rights** please contact the Data Protection Team [data.protection.officer@cnc.pnn.police.uk](mailto:data.protection.officer@cnc.pnn.police.uk) [subject.access.request@cnc.pnn.police.uk](mailto:subject.access.request@cnc.pnn.police.uk) if you wish to ask for copies of your information,

**OR**

Data Protection Officer  
Civil Nuclear Constabulary  
Culham Science Centre  
Abingdon  
OX14 3DB

## **12. Complaints and further queries:**

The CNC tries to meet the highest standards when processing personal data. We take complaints very seriously. If you have any concerns about the way that we have handled your personal data, please bring it to our attention via the following means:

[Data.protection.officer@cnc.pnn.police.uk](mailto:Data.protection.officer@cnc.pnn.police.uk)

You are also able to submit complaints to the Information Commissioner's Office, Details on how to contact them based on the nature of your concern is available at <https://ico.org.uk/concerns/>

The ICO can be contacted via:

The Information Commissioner's Office,

Wycliffe House,  
Wilmslow,  
Cheshire,  
SK9 5AF

Telephone: 0303 123 1113

Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)

## **13. Further information about this privacy notice**

This privacy notice has been created to be understandable and concise. As a result, it does not include exhaustive detail about what information we hold, every organisation we share data with, how the data is collected or how long the data is kept. For further information please contact the CNC's Data Protection Officer via [data.protection.officer@cnc.pnn.police.uk](mailto:data.protection.officer@cnc.pnn.police.uk)

We keep our privacy notice under regular review. If we plan to use personal data in a different way than we have outlined, then we will update our privacy notice before we start any new processing.