

### Tier 3 Data Protection Protocol

A completed Data Protection Protocol will be in place for each activity covered under the terms of the over-arching Data Sharing Agreement. This includes details of any information security requirements specific to the activity and provides the information that should be provided to service users within the Privacy Notice.

The Data Protection Protocol also confirms if a Party is acting as a data processor, in which case the additional terms and conditions included within the Data Processor Agreement included within Annex 1 of the Data Sharing Agreement are applicable.

Description	Details
<b>Reference Number</b>	V1.0
<b>Activity Name</b>	Pub Watch – this Protocol will be under the Tier 2 Crime and Disorder ISP.
<b>Subject matter of the Processing (the Services)</b>	<p>The Police are committed to tackling Crime and Disorder and supporting Public Protection across Surrey and work, on a regular basis, with members of the Local Pub Watch in order to make Surrey safer and provides a framework for action.</p> <p>The purpose of this agreement is to set out the terms and conditions under which data held by Surrey Police will be shared with the local Pub Watch and Experience Guildford and its Pub Watch members.</p> <p>This will enable action to be taken against crime and anti-social behaviour within the local authority area. It will incorporate measures aimed at:</p> <ul style="list-style-type: none"> <li>• Facilitating a coordinated approach that targets crime and anti-social behaviour.</li> <li>• Facilitating the collection and exchange of relevant information.</li> </ul>
<b>Duration of the Processing</b>	Ongoing
<b>Type and description of Personal Data to be shared</b>	<p>Personal data as defined in the UK GDPR / DPA2018.</p> <p>i. The Police may share: Where a crime has occurred involving, or in the vicinity of, a member venue, Surrey Police may share the following types of information in relation to the offenders or suspected offenders:</p> <ul style="list-style-type: none"> <li>• Photographs or CCTV stills Physical / behavioural descriptions</li> <li>• Descriptions / summaries of methods of operation</li> </ul>

Description	Details
	<ul style="list-style-type: none"> <li>• Details of Criminal Behaviour Orders, Anti-Social Behaviour Injunctions, and any other court issued notifications (including Court / Police bail) which place restrictions on a named individual within an area that includes a member of the Pub Watch</li> <li>• Names for the purpose of issuing banning letters where Civil Recovery Proceedings will not be pursued.</li> </ul> <p>Disclosures made by Surrey Police under this agreement, unless specified in writing, must not be used for any purpose other than intended and/or requested, including the initiation of civil litigation. For transparency and public accountability, where Civil Recovery Procedures may be initiated, Pub Watch members, Experience Guildford and its members should seek to obtain names and addresses of offenders or suspected offenders via the Surrey Police Rights of Access Team.</p> <p>ii. The listed signatories will share: The Pub Watch and its members agree to provide the following information to Surrey Police:</p> <ul style="list-style-type: none"> <li>• A list of banned patrons</li> <li>• Intelligence relating to offenders or suspected offenders operating at, or in the vicinity of, member establishments</li> <li>• Intelligence relating to criminal activity involving, or in the vicinity of, member establishments</li> </ul> <p>A current list of banned persons is to be maintained by Experience Guildford and made available via DISC. Intelligence will be provided via secure email, in person, or via the incident reporting system on DISC.</p> <p>Criminal Behaviour Orders disclosed by Surrey Police can be further shared to local advertisers when required due to prevention and reduction of crime. When this sharing occurs, Surrey Police must be informed in these cases.</p> <p>Names of those banned from Pub Watch areas can be discussed with neighbouring Pub Watches as required to prevent and detect further crime. No further details should be shared without consent from Surrey Police.</p>

Description	Details
<b>Categories of data subject (delete as appropriate)</b>	Adults and Children
<b>Nature and purposes of the Processing</b>	<p>The processing will be undertaken for the purposes of:</p> <ul style="list-style-type: none"> <li>• Safeguarding</li> <li>• Prevention and Detection of Crime</li> <li>• Performance of a task</li> </ul> <p>Information will be shared by Surrey Police in one of two situations, as outlined below:</p> <ol style="list-style-type: none"> <li>i. Surrey Police may choose to proactively share information with the Pub Watch or with Experience Guildford or with individual member establishments in relation to a particular incident, offender, or suspected offender.</li> <li>ii. Surrey Police may respond to a request for information in relation to a specific incident, offender, or suspected offender.</li> </ol> <p>These requests should always be made using the information request form in Appendix A to the relevant licensing team who cover the pub watch area;</p> <p><a href="mailto:LicensingNorthern@surrey.pnn.police.uk">LicensingNorthern@surrey.pnn.police.uk</a>  <a href="mailto:LicensingEastern@surrey.pnn.police.uk">LicensingEastern@surrey.pnn.police.uk</a>  <a href="mailto:LicensingWestern@surrey.pnn.police.uk">LicensingWestern@surrey.pnn.police.uk</a></p> <p>Making a request does not guarantee that a disclosure will be made. The absence of a disclosure does not automatically mean that the requested material is known or unknown to police.</p> <p>Surrey Police will not share addresses of individuals for the purposes of banning letters. If a banning letter is required to be sent to their address, Pub Watch should supply the named letter to the licensing officer for Surrey Police to post these on their behalf.</p>
<b>How will data be transferred?</b>	<ul style="list-style-type: none"> <li>• Paper Copies</li> <li>• Secure email services (encrypted to AES256 bit)</li> <li>• Manual upload to organisations ICT systems</li> </ul>

Description	Details
	<ul style="list-style-type: none"> <li>• Manual upload to the Database and Intranet for Safer Communities (DISC) system</li> </ul> <p>The Database and Intranet for Safer Communities (DISC) is a product provided by Littoralis for the secure electronic sharing of information between partners. This ISA refers to DISC as the primary method for information sharing between Experience Guildford and Surrey Police. Experience Guildford will implement two iterations of DISC- one for the day-time economy, and one for the night-time economy. The decision to share information via one, or both iterations of DISC will be dependent on which group (s) the information is relevant to</p> <ol style="list-style-type: none"> <li>i. Information will be loaded directly to DISC by Surrey Police using accounts provided by Experience Guildford, in these cases it is the responsibility of Surrey Police to ensure both the accuracy and relevance of the shared information, and to ensure that retention dates are correctly applied on the system. Under no circumstance should addresses be published to DISC.</li> <li>ii. There is a facility on DISC to complete and circulate incident reports between members. This will be primarily used by Experience Guildford and its members; however Surrey Police may also occasionally contribute to it. A Niche reference number must be produced prior to Surrey Police creating an incident report on DISC; incidents resulting solely in an ICAD reference may only be reported by members.</li> </ol> <p>Information will be shared directly with Experience Guildford or a member of Pub Watch (in most cases to be the Pub Watch Chairman). This can be done via hard copy and in person or by secure email.</p> <p>The person accepting the police information will be required to sign an acknowledgment receipt. <b>Please see APPENDIX B.</b> By signing this confirms that the information:</p> <ul style="list-style-type: none"> <li>• Will be kept securely on business premises</li> <li>• Will only be made available to those who have legitimate business reasons to view it</li> <li>• Shall not be copied, altered, or further distributed in any way</li> </ul>

Description	Details
	<ul style="list-style-type: none"> <li>• Will only be used for the purpose for which it was disclosed</li> <li>• Will not be retained for a period exceeding 12 months; unless specified for early removal by Surrey Police.</li> <li>• Will be securely disposed of when no longer required, or when instructed to do so by Surrey Police</li> </ul> <p>Meetings between Pub Watch members, Experience Guildford, Surrey Police licensing officers and Pub Watch Chairman will occur as required to assist members and further disclose information.</p> <p>Under no circumstances should police information be stored electronically on a system that has not received prior approval, including but not limited to hosted databases, private networks, home computers, or social media. It is expected that all parties keep accurate and timely logs of all shared information in order to provide accountability. For Surrey Police, this includes the date the photograph was taken, to comply with requests from offenders to delete their photographs following a no further action result.</p> <p>It is expected that the membership of the Pub Watch will change over time, and that General Managers / Licensees will also change. When a member leaves the Pub Watch, it is the responsibility of the local Pub Watch or Experience Guildford to notify Surrey Police of this change to their member list as soon as practicable, and in any case, within 7-days of the change. Changes to the General Manager / Licensee should be notified to Surrey Police as soon as practicable, and in any case, within 14-days of the change. In both cases this is to enable the Licensing Officer to conduct a review as to the suitability of the new partner to receive police information.</p> <p>This notification should be made to the relevant licensing team for the area in which the pub watch resides:</p> <p style="text-align: center;"> <a href="mailto:LicensingNorthern@surrey.pnn.police.uk">LicensingNorthern@surrey.pnn.police.uk</a>  <a href="mailto:LicensingEastern@surrey.pnn.police.uk">LicensingEastern@surrey.pnn.police.uk</a>  <a href="mailto:LicensingWestern@surrey.pnn.police.uk">LicensingWestern@surrey.pnn.police.uk</a> </p> <p>Police information must not be provided to new members of the Pub Watch or Experience Guildford until Surrey Police has provided written confirmation that sharing is permissible. Permission may not be provided based on a number of operational reasons; this agreement does not require that</p>

Description	Details
	<p>they are disclosed. Refusal to share information with Experience Guildford or a particular member of the Pub Watch may be due to a variety of reasons, and Experience Guildford, the Pub Watch, or its members, should draw no inference from this decision.</p>
<p><b>How will data be accessed?</b></p>	<ul style="list-style-type: none"> <li>• Paper Copies</li> <li>• Direct access to ICT systems</li> <li>• Direct access to the Database and Intranet for Safer Communities (DISC) system</li> </ul>
<p><b>Where will data be stored?</b></p>	<ul style="list-style-type: none"> <li>• Paper Copies</li> <li>• Local ICT systems</li> <li>• Littoralis Database and Intranet for Safer Communities (DISC) system.</li> </ul>
<p><b>Details of any specific restrictions on uses:</b></p>	<ol style="list-style-type: none"> <li>i. Any data will only be used for the specific purpose for which it is shared, and recipients will not release information to any third party without obtaining the express written authority of the disclosing partner, including requests from the public, disclosure within judicial proceedings and safeguarding forums.</li> <li>ii. All information that is disclosed under this agreement remains the property of the original data owner.</li> <li>iii. Information will not be shared where disclosure would prejudice ongoing criminal proceedings unless there is an overriding safety requirement to do so.</li> <li>iv. This Agreement does not constitute an overarching permission for the broad, comprehensive or unchallenged sharing of Personal Data. It provides a framework for the sharing of Information which aligns with the objectives set out in this Protocol and the overarching MAISP agreement and the Tier 2 Crime and Disorder ISP.</li> <li>v. Local Pub Watch members, Experience Guildford and its members may utilise third party security firms in order to help deter and detect crime / anti-social behaviour on their premises. Where this occurs, it is the responsibility of the Local Pub Watch members, or Experience Guildford to ensure the third party security firms have agreed to follow the contents of this document, and that they have also agreed to the</li> </ol>

Description	Details			
	Information Security codes of practice implemented by the Local Pub Watch or Experience Guildford.			
<b>Lawful Basis for Processing Data</b>	<ul style="list-style-type: none"> <li>• Data Protection Act 2018 (sections 29, 32, 40 and Schedule 8):               <ul style="list-style-type: none"> <li>○ Article 6 (e): Carried out for the performance of a task in the public interest.</li> <li>○ Article 9: No special category data is being processed.</li> </ul> </li> <li>• Licencing Act (2003)</li> <li>• Common Law Powers of disclosure</li> <li>• Human Rights Act (1998)</li> </ul>			
<b>Details of Data Controller and contact details</b>	Information not available until a Pub Watch signs up to this ISP. Thereafter, information can be found using the MAISP contact list.			
<b>Contact Details for their DPO</b>	<p>Surrey Police – Kelly Thornton:  <a href="mailto:DataProtection@surrey.police.uk">DataProtection@surrey.police.uk</a></p> <p>Pub Watch – Please see individual contacts within each Pub Watch, if applicable. Not all Pub Watches will have a DPO.</p>			
<b>Details of authorised data processors and sub-processors that will access the shared data</b>	<b>Organisation</b>		<b>Role</b>	
	N/A		Processor	
	N/A		Sub-processor	
<b>Details of organisations / teams / roles to be granted access to shared data</b>	<b>Name</b>	<b>Team</b>	<b>Roles</b>	
	Surrey Police	Licensing Teams	Licensing Officers	
<b>Details of any other organisations that the data may be disclosed to</b>	N/A			
<b>Applicable rights and how to exercise these</b>	<b>Right</b>	<b>Applies</b>	<b>Right</b>	<b>Applies</b>
	Access	Yes	Object	Yes
	Rectification	Yes	Portability	No
	Erasure	In some cases	Automated decisions?	No
	Restriction	In some cases		

Description	Details
	<p>Any information rights related requests relating specifically to Pub Watches should be sent to Surrey Police. Individuals wishing to make requests including other activities also should contact the relevant organisations using the contact details provided above.</p> <p>Except where required by law, the data processors must refer to the data controller any requests for onward disclosure of information received from third parties not listed in this protocol and must not disclose any information in response to these requests, unless this is authorised by the data controller.</p>
<b>Applicable retention period</b>	<p>The parties will hold data for the retention period specified in their organisations policies – please see their general privacy notices for further information.</p> <p>Or</p> <p>Will not be retained for a period exceeding 12 months; unless specified for early removal by Surrey Police.</p>
<b>How the data will be protected</b>	<p>The DPIA completed for the activity covered under this protocol details the controls applicable to the activity which include:</p> <ul style="list-style-type: none"> <li>• All Information Communications Technology (ICT) systems suitably encrypted and protected from viruses etc.</li> <li>• All individuals have been subject to appropriate vetting</li> <li>• All individuals up to date with annual Information Governance training</li> </ul>
<b>Plan for return and destruction of the data once the Processing is complete</b>	<p>The data controllers will ensure deletion of electronic data to certified standards and destruction of hardcopy data once no longer required for the purposes it was disclosed or directed to do so by Surrey Police, as per the organisations policies – please see their general privacy notices for further information.</p>
<b>Right to Complain.</b>	<p>Please see the Privacy Notice of Surrey Police or the individual Pub Watch on your right to complain and the process involved.</p> <p>You have the right to complain to the Information Commissioner’s Office, you can use this link <a href="https://ico.org.uk/global/contact-us/">https://ico.org.uk/global/contact-us/</a> or telephone their helpline on 0303 123 1113 (local rate) or 01625 545 745 (national rate).</p>

Description	Details
<b>Changes</b>	We will review the information contained within this notice regularly and update it as required. This version is next due for review on 27/05/2023

## APPENDIX A: INFORMATION REQUEST FORM

Please note, the Police can only share information that is owned by them.

### Section 1: Subject of Request (Offender)

<b>Full Name</b>	
<b>Date of Birth</b>	
<b>Previous names / Aliases</b> <i>(if relevant)</i>	

### Section 2: Reason for Search / Timescale

<b>Reason for search</b>	
<b>Legal Powers</b>	
<b>Timescale</b>	

### Section 3: Nature of enquiry

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### Section 4: Any further information that could assist the enquiry (optional)

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I confirm that the personal data requested are required for that / those purpose(s) and failure to provide the information will, in my view, be likely to prejudice that / those purposes(s).

### Section 5: Details of Person(s) Requesting Information

<b>Name</b>	
<b>Position / Organisation</b>	
<b>Phone</b>	
<b>Secure e-mail</b>	

## **APPENDIX B: ACKNOWLEDGEMENT RECEIPT FORM**

Insert copy of receipt form