



Date Created: 06/09/2018
Date Published: 03/07/2023
Version Number: 1.01

Service Area:	Corporate Services
Work Area:	Procurement Services
Contact Details:	01443 863161 procurement@caerphilly.gov.uk
Privacy Notice Name:	Procurement Privacy Notice
Description of Privacy Notice:	This privacy notice explains how Procurement Services will use information provided by third party economic operators (for example businesses, contractors, suppliers, service providers and voluntary sector organisations), individuals or other public sector organisations when undertaking daily duties associated with the Procurement function.

How we will use your information

Source and type of information being processed

Categories of personal data obtained

Procurement Services will obtain information (that may include personal data) in relation to the following categories when undertaking daily duties associated with the Procurement function.

Organisation Name(s)
Personal Name(s)
Business Addresses
Personal Addresses
Designated Contact Name(s)
Contact Telephone Number(s) (Organisation/ Private)
Email Addresses (Organisation/ Private)
Financial Information (Organisation/ Private)
Legal Information (Organisation/ Private)

Source of the personal data

All economic operators, individuals or other public sector organisations will need to provide information relating to the above-mentioned categories via various communication methods as specified by Procurement Services.

This information will predominately be submitted via purchase-to-pay (P2P), e-tendering and contract management modules, which are provided by a third-party system provider, namely PROACTIS. Economic operators, individuals and other public sector organisations will provide information relating to the above-mentioned categories either online via the e-

tendering and contract management modules or via other communication methods which will be stored within P2P.

Purpose and legal basis for using your information

Purpose of processing

In order for Caerphilly County Borough Council to ensure that any procurement conducted by the Council meet its legal obligation in relation to UK Public Contract Regulations 2015 and its Constitution, specifically Financial Regulations and Standing Orders for Contracts.

Legal basis for processing

In order for the processing of personal data to be lawful under the General Data Protection Regulations 2016, a valid condition from Article 6 of the Regulations must be identified, which is outlined below:

1(b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.

Who will have access to your information

Identity of Data Controller and Data Protection Officer

The Data Controller for your information is Caerphilly County Borough Council. The Data Protection Officer is:

Mr Carl Evans
Corporate Information Governance Manager / Data Protection Officer
Email: dataprotection@caerphilly.gov.uk
Tel: 01443 864322

Other Data Controllers may also be responsible for your information, depending on the specific circumstances. Please contact the Service Area for further information.

Details of main users of your information

Procurement Services will be the main users of your information.

Details of any sharing of your information within Caerphilly County Borough Council

Procurement Services may use or will share information with other parts of the Council when undertaking daily duties associated with the Procurement function. Examples are individual service areas participating within evaluation processes, requiring information for ongoing contract management and/or information for the placing of official purchase orders.

Details of any sharing of your information with other organisations

Procurement Services may use or will share information when working collaboratively with other public sector organisations. In these circumstances only specific information will be shared with those relevant organisations. All Procurement documentation associated with collaborative processes will detail which organisations are participating and how the process will be administered. Therefore, economic operators, individuals and other public sector organisations will be aware that specific information will be shared across those participating organisations.

Details of any external data processors

E-tendering and contract management modules provided by a third-party system provider, namely PROACTIS. The PROACTIS Privacy Notice can be viewed via the following link: <https://www.proactis.com/uk/policies/privacy-policy/>

Requests for information

All recorded information held by Caerphilly County Borough Council may be subject to requests under the Freedom of Information Act 2000, Environmental Information Regulations 2004 and Data Protection legislation.

If the information you provide is subject to such a request, where possible Caerphilly County Borough Council will consult with you on its release. If you object to the release of your information we will withhold your information if the relevant legislation allows.

How long will we retain your information

Details of retention period

How long Caerphilly County Borough Council retains information is determined through statutory requirements or best practice.

Depending on the value of a particular contract or the type of contract awarded (works, services or supplies) the length of time will vary. Please refer to the following indicative timetable:

Goods/Services Contracts above £1m (please note this is Sterling not Euro)	12 Years from Contract Completion
Under Seal Contracts and Works Contracts (including those signed by the Council As a Deed)	12 Years from Contract Completion
WEFO / GRANT Funded Contracts & Unsuccessful bids	In accordance with specific terms and conditions of funding (NB - WEFO until told to destroy)
All Other Contracts	6 years from Contract Completion
Unsuccessful Bids	4 years from Award of Contract

All data held after the specified time will be destroyed / deleted by Caerphilly County Borough Council.

Information on how long data is retained will be included in the tendering application process.

Your Rights (Inc Complaints Procedure)

Your rights under the Data Protection legislation

Data Protection gives data subjects (those who the information is about) a number of rights:

- The right of subject access – Application forms for this process are available on our website: [SAR Form](#)
- The right to be informed
- The right of rectification
- The right to erasure
- The right to restrict processing
- The right to object
- The right to data portability
- Rights in relation to automated decision making and profiling.

Further information on your rights is available from: www.ico.org.uk.

To enact your rights please contact the service area detailed on the top of this form.

Complaints Procedure

If you are unhappy with the way that Caerphilly County Borough Council has handled your request / information, you have the right of complaint. Please contact the Service Area detailed at the top of this document outlining your issues.

If you remain unhappy you also have a right of complaint to the Information Commissioner's Office. Please follow this link for further information on the complaints process.

www.caerphilly.gov.uk/My-Council/Data-protection-and-freedom-of-information/Questions-and-complaints

Summary Privacy Notice

How we will use your information

We are collecting your information in order for Caerphilly County Borough Council to ensure that any procurement conducted by the Council meet its legal obligation in relation to UK Public Contract Regulations 2015 and its Constitution, specifically Financial Regulations and Standing Orders for Contracts. We are relying on the 'contract' legal basis from the UK GDPR to process your information. Your information may be shared with other public authorities when we work collaboratively with them. Please refer to the full privacy notice linked below for retention period information.

You have a number of rights in relation to the information including the right of access to information we hold about you and the right of complaint if you are unhappy with the way your information is being processed.

For further information on how we process your information, and your rights please click the following link:

<https://www.caerphilly.gov.uk/caerphillydocs/foi/privacynotices/procurementprivacynotice.aspx>