

PRIVACY NOTICE – Procurement

Our Contact Details

Name: Corporate Procurement Unit

Address: West Lothian Council, West Lothian Civic Centre, Howden South Road, Livingston, EH54 6FF

Phone Number: 01506 280000

YOUR PERSONAL INFORMATION AND HOW IT WILL BE USED

Under data protection law, the lawful bases we rely on for processing this information are:

We will collect your personal information about you to meet our **contractual** and **legal** obligations in order to meet the requirements to **provide services** on behalf of the council

Most of the personal information we process is provided to us as part of competitive tendering and/or requests for quotations that are communicated to the council via eProcurement tools such as Public Contracts Scotland and Public Contracts Scotland – Tender.

The council collects the data to carry out its procurement activities in line with the [Procurement Reform \(Scotland\) Act 2014](#), [The Public Contracts \(Scotland\) Regulations 2015](#) and [Procurement \(Scotland\) Regulations 2016](#). The council requires to carry out procurement activities as part of its statutory function as a Local Authority. As a Local Authority, the council carries out various statutory roles, for example, as an education authority, planning authority and roads authority. Accordingly, the westlothian.gov.uk data is necessary to comply with legal obligations as part of the aforementioned legislation. More information on what we do with your information and how long we keep the information can be found below.

The council will hold personal information to be used in the procurement processes noted above. In addition, the council will use the personal data of those who have consented to participate in feedback surveys following the completion of tender processes. Bidders will have the option to consent to participate in the feedback surveys as part of the tender process. The personal data used to distribute the surveys is name and email address.

Should you no longer wish to have your information held to participate in the feedback survey, you can withdraw by sending an email to CPU@westlothian.gov.uk with the subject “CPU Feedback Survey – Opt Out”.

The council will only pass this data and information to other parties where it is lawful to do so and where controls are in place which;

- Require an identified purpose
- Ensure that information is transmitted securely

During the procurement process, the council will share the data you provide with other agencies such as Police Scotland, who may use this information, including any personal data, to prevent fraud, money laundering and to verify your identity. Where permitted by law, the council and Police Scotland may also enable other agencies to access and use your personal data to detect, investigate and prevent crime.

The council keeps data in relation to council contracts for 5 years. The personal information included in the council’s contract register is; Supplier Name, Address, Email Address, Phone Number and name of key account manager / contact manager.

We only keep information about you for as long as required. The table shows what information we collect, and how we manage this.

For this activity:	We collect	From	Reason	Information retention	We will share this with
Procurement Processes (Quick Quotes & Tender Exercises above £5,000)	Name Address Contact Details (email, name, telephone)	eProcurement System (Public Contracts Scotland / Public Contracts Scotland - Tender)	To comply with statutory functions / legislative requirements (e.g. Contract Register)	Held for lifetime of contract (data in relation to council contracts are held for 5 years)	Police Scotland and other partners / local authorities where required. Contract Register – public facing register for lifetime of contract.

For this activity:	We collect	From	Reason	Information retention	We will share this with
Feedback Survey	Contact Details (email, name, telephone)	eProcurement System (Public Contracts Scotland / Public Contracts Scotland - Tender)	To distribute Procurement Feedback survey	Information taken from eProcurement system, information will be held in line with the retention schedule of specific eProcurement system.	Survey responses are anonymised, data is shared with relevant officer to distribute survey.

YOUR RIGHTS

Under data protection law, you have rights including:

Your right of access

You have the right to ask us for copies of your personal information.

Your right to rectification

You have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

Your right to erasure

You have the right to ask us to erase your personal information in limited circumstances.

Your right to restriction of processing

You have the right to ask us to restrict the processing of your personal information in certain circumstances.

Your right to object to processing

You have the the right to object to the processing of your personal information in certain circumstances

Your right to data portability

You have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances.

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

To make a request contact us using the contact information at the start of this document.

PROVIDING ACCURATE INFORMATION

It is important that we hold accurate and up to date information about you in order to ensure our contractual records are up to date. If any of your details have changed, or change in the future, please ensure that you tell us as soon as possible so that we can update your records.

FURTHER INFORMATION

If you have any questions or concerns about how your information is used, please contact us at the address above.

You can also contact:

The Data Protection Officer, West Lothian Council, West Lothian Civic Centre, Howden South Road, Livingston, West Lothian, EH54 6FF, email: DataProtectionOfficer@westlothian.gov.uk

More information about data protection and how it applies to you, including how to make a complaint, is available from the Information Commissioner's Office at <https://ico.org.uk/>

The Information Commissioners address:

Information Commissioner's Office
Wycliffe House, Water Lane

DATA LABEL: PUBLIC



Wilmslow, Cheshire

SK9 5AF

Helpline number: 0303 123 11133