



West Lothian Council

Privacy Notice – NETs, Land & Countryside Services

Our contact details

Name: NETs Land and Countryside Services

Address: Whitehill Service Centre, 4 Inchmuir Road, Whitehill Industrial Estate, Bathgate, EH48 2EP

Phone number: 01506 284623

Email: andy.johnston@westlothian.gov.uk

Notice completed April 2022

The personal information we collect

We will collect personal information about you. This information will be the minimum to process your request or our statutory requirement and could include:

- Your contact details, (address, email address), date of birth, access and mobility requirements, supporting medical certificate and disability details (for the Garden Maintenance scheme), bank details, religious backgrounds (if required to provide an appropriate lair)
- In the event of serving you with a fixed penalty notice we will collect video images, still images, voice recording, date, time and details of the enforcement officer making the video recording/still images.
- Videos/still images may also be obtained from a member of the public where appropriate in the event of an offence being committed.

How we get your personal information and why we have it.

Only the minimum personal information is collected, most of which is provided to us directly by you for one of the following reasons:

- We have this information to be able to process your service request and to keep you updated and informed on the status of your request.
- This information is also required if you ask for additional information or make a complaint regarding the handling of your request and/or the standard of any work that was carried out as a result of your request
- The council have a statutory duty to record who owns cemetery lairs and who is buried within.
- It may also be used for debt collection purposes.
- We have obtained your information to enable us to issue you with the relevant fine inline with EPA 1990 section 33a it's a crime to 'fly tip'.
- We have asked you to complete a survey and may contact you in association with the survey you have completed.

We also receive personal information indirectly, from the following sources in the following scenarios:

- Videos/still images may also be obtained from a member of the public where appropriate in the event of an offence being committed.

We use the information that you have given us in order to provide the services you request and, if necessary, to contact you about those services.

We may also use your information to assist us to plan future services.

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

Legal Obligation

Vital Interests

Public Interest/Official Authority

Who we will share your information with?

- We will share certain information such as names and addresses with the teams who will deliver the Garden Maintenance service if you are successful.
- Your name, contact address and amount outstanding may be shared with our Financial Management Unit for invoice processing and debt collection purposes.
- Your name, contact address and amount outstanding may be shared with the Procurator Fiscal if you do not pay the fixed penalty notice.

Only the minimum amount of information required will be shared.

Your information will not be shared with the public.

How long do we keep your information?

- **Garden Maintenance** - We will keep your information for a period of **one year** after you leave the scheme.
- **General Enquiries** - We will keep your information for **six years** after the service has been delivered to help us with reporting and planning in the future.
- **Camping and Ranger event bookings** – payment details are not kept, booking information will be kept for a maximum of **six years**.
- **Burial and Lair information** - We will keep your information **indefinitely** as we are required to do under the Burial and Cremation (Scotland) Act 2016.
- **Fixed Penalty Notices** –
 - **Notebook information** will be kept for a period of **two years**
 - **Spreadsheet** details will be kept for a period of **three years**
 - **Recordings and Images** will be kept for a maximum of **six months** or when the fine is paid in full, whichever is greater. In the event of an unpaid fine, we will pass your information to the procurator fiscal who then takes responsibility over to ensure appropriate enforcement actions are taken against you the offender.
 - If the need arises for any case to be forward to the Procurator Fiscal, the maximum duration for holding on to evidence in the event of an unpaid fine (six months) is extended indefinitely as all evidence needs to be kept until presented in court.
- **Surveys** - We will keep your information for a period of **five years** after you complete the survey, although personal data captured is minimal.

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 certain 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 please contact us at West Lothian Council, Whitehill Service Centre, 4 Inchmuir Road, Whitehill Industrial Estate, Bathgate, EH48 2EP

Email – andy.johnston@westlothian.gov.uk

Providing accurate information

It is important that we hold accurate and up to date information about you. 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/](https://ico.org.uk/)

The ICO's address:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Helpline number: 0303 123 1113