

Household Recycling Centres – Bodycams

Privacy Notice

As the 'data controller' for the personal information – or data – we hold about you, **South Ayrshire Council** decides how your personal information is used/processed, and what it is used for.

This statement provides more details about how we will use your personal data and provides information on how to get in touch with us if you need to know more.

Your personal data – what is it?

Personal data is information relating to a living person who can be identified from that data. Identification can be based on the information alone, or in conjunction with any other information. The processing of personal data is governed by the General Data Protection Regulation 2016 (GDPR) and supplemented by the Data Protection Act 2018.

What Personal Data will we collect from you?

We will only collect the minimum amount of personal information we need to protect staff and visitors to our Household Waste recycling centres. The personal data we will collect includes:

- Video recording
- Audio recording
- Motor vehicle registration numbers

Body worn cameras may capture more sensitive information about individuals, including health details, race or ethnic origin and criminal behaviour.

How will we use your information?

The cameras will only be activated when there is a perceived threat to staff or visitors, or there is a breach of Health and Safety. You will be informed by the operator that the cameras are being activated.

The footage will be:

- use as evidence of harassment or abuse against our staff, contractors and visitors
- prevent or detect crime
- use as part of an investigation to take enforcement action in line with the regulatory areas we enforce (where necessary).

However, if an allegation of misconduct is made against a staff member, footage may be used in the investigation to provide a true and fair assessment of events.

What is the legal basis for using/sharing your information?

The legal basis for processing this data is either to comply with our legal obligations under the Health and Safety at Work Act 1974 as per Article 6(1) (c) of the GDPR, or the processing is necessary for the performance of a task carried out in the public interest by the Council. Local authorities such as South Ayrshire Council are authorised to employ the use of video recording to promote the prevention of crime or the welfare of victims of crime. This power is contained in section 163 of the Criminal Justice and Public Order Act 1994.

As stated about by its very nature, recordings may capture more sensitive information about people. We also need to process this more sensitive personal information about you for reasons of substantial public interest as set out in the Data Protection Act 2018. It is necessary for us to process it to carry out key functions as set out in law.

Who will we share your information with?

Where necessary your information will be shared with:

- our insurers
- third party insurers
- the police
- other enforcement agencies

We will share your data if required to do so by law – for example, by court order, or to prevent fraud or other crime.

At no point is your data shared or processed outside of the UK.

How long do we keep hold of your information?

Recorded camera footage will be held for 30 days from the date of recording after which they are automatically deleted unless required to be kept for an investigation or complaint. Thereafter the footage will be retained in line with our Corporate Records Retention Schedule:

| Purpose we collect your personal data | Trigger – event that prompts start of retention period | How long we hold your data |
|--|---|-----------------------------------|
| Complaints | Last action on complaint | Current plus 5 years |
| Investigation | Date of last action | Current plus 3 years |

What are your rights?

The lawful basis for processing/using your personal data directly impacts which rights are available to you. For example, some rights will not apply, in this case we are not required to:

- erase your personal information.
- enable the right to data portability

However, you do have the following rights and can ask us to:

- correct your personal information if it is inaccurate;
- complete your personal information if it is incomplete;
- restrict the processing of your personal information in certain circumstances

You also have the right to object to the processing of your personal information.

What about Automated Decision- Making?

The Council does not use profiling or automated decision-making. Some processes are semi-automated (such as data matching for the prevention or detection of fraud), but an actual person will always be involved before any decision is reached affecting any individual.

Do you require this statement in a different format?

Please contact us if you require this information in an alternative format.

How can you get in touch with us?

If you wish to obtain any records held by the Council relating to you, or if you have any general data protection queries, please contact the Council's Data Protection Service at:

Data Protection Officer
South Ayrshire Council
County Buildings
Wellington Square
Ayr
KA7 1DR

Email: DataProtection@south-ayrshire.gov.uk

Telephone: 01292 612 223

Are you dissatisfied with the way your Personal Information has been handled?

If you are unhappy with the way we have dealt with your personal information, you can complain to the Council's Data Protection Officer using the contact details noted above.

If you remain dissatisfied after contacting us, you have the right to complain to the Information Commissioner (<https://ico.org.uk/for-the-public/>):

Information Commissioner's Office – Scotland
45 Melville Street
Edinburgh
EH3 7HL

Email: Scotland@ico.org.uk

Telephone: 0303 123 1115