

## **Privacy Notice Freedom of Information**

When make a request under access to information legislation, you will need to provide us with some personal data or information

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 this 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 personal data we need to provide you with relevant information, services and support. The personal data we may collect includes:

- Name
- Address
- Email
- Telephone number

We will log and keep your personal data on our Freedom of Information electronic filing and computer systems.

### **How will we use your information?**

All personal data is processed only by our Freedom of Information staff. We will only collect the personal data we need in order to provide you with access to the South Ayrshire Council's Freedom of Information Service, and oversee the provision of this service to you. We will use this personal data to contact you; to clarify any issues we have with your Freedom of Information or Environmental Information request; and to provide our response.

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

Processing is necessary under a legal obligation granted under the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004 to comply with your rights to make a request for recorded information held by us.

### **Who will we share your information with?**

The Freedom of Information service will not normally share your information with anybody else, and undertakes your request for information on an 'applicant blind' basis. However, where you request an Internal Review of the Council's handling of your information request, or have contacted the Scottish Information Commissioner to carry out an investigation we may share your information with members of Council staff authorised to be involved with the Internal Review process or the Scottish Information Commissioner to assist with its investigation.

### **How long do we keep hold of your information?**

We keep your personal data for no longer than reasonably necessary. We will retain your information for the current year plus three years from the time of your information request. If you make an appeal to the Office of the Scottish Information Commissioner we will retain your information for the current year plus six years, from the outcome appeal date.

### **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
- the right to object to the processing of your personal information

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

### **What are the consequences of failing to provide personal information?**

Freedom of Information and Environmental Information legislation says that a request must include the name of the applicant and an address for correspondence. In terms of your address, either your full postal address or your email address will be fine. Without this personal data we cannot process your request for information.

### **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](mailto:DataProtection@south-ayrshire.gov.uk)  
**Telephone:** 01292 612223

**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 Commissioners Office (Scotland)  
45 Melville Street  
EDINBURGH, EH3 7HL

Email: [Scotland@ico.org.uk](mailto:Scotland@ico.org.uk)  
Telephone: 0303 123 1115