

Shetland Islands Council

Shetland Islands Regional Marine Plan - Data Protection Privacy Statement

Who we are?

Shetland Islands Council is a local authority established under the Local Government etc. (Scotland) Act 1994. Its office headquarters are located at 8 North Ness Business Park, Lerwick, Shetland, ZE1 0LZ, United Kingdom.

You can contact our Data Protection Officer by post at this address, by e-mail at: dataprotection@shetland.gov.uk and by telephone on (01595) 744 550.

The Data Protection Officer for Shetland Islands Council is the Executive Manager – Governance and Law.

Why do we need your personal information and what do we do with it?

You are giving us your personal information to allow us to produce the Shetland Islands Regional Marine Plan.

The production of the Shetland Islands Regional Marine Plan is delegated to the Shetland Islands Marine Planning Partnership, which is a partnership of Shetland Islands Council and the NAFC Marine Centre UHI under the Direction of Scottish Ministers.

Legal basis for using your information

Shetland Islands Council provide these services to you as part of our statutory function as the public authority responsible for the consultation of the Shetland Islands Marine Plan under section 12(5)(b) of the Marine (Scotland) Act 2010.

You can find more details of our role on our website. Processing your personal information is necessary for the performance of a task carried out in the public interest by the council. In this case, the consultation and production of the Shetland Islands Regional Marine Plan (SIRMP), under Direction of Scottish Ministers as per the requirements of the Marine (Scotland) Act 2010.

If you do not provide us with the information we have asked for then we will not be able to provide this service to you.

What personal data we hold, and how we obtain it?

For the purposes of the public consultation for the Regional Marine Plan, Shetland Islands Council have entered into a data processor agreement with the NAFC Marine Centre. The NAFC Marine Centre will gather information and manage the consultation on behalf of Shetland Islands Council. Upon completion of the consultation the information will be passed from the NAFC Marine Centre to the Shetland Islands Council for retention.

The types of personal data we hold and process about you can include:

- Your name
- Your signature
- Your contact details (such as postal address, email address and telephone/mobile number)

- Information relating to expressed opinions or intentions in respect of the Shetland Islands Regional Marine Plan.

This information will be provided by you as part of your consultation response to the Shetland Islands Regional Marine Plan.

Who do we share your information with?

This information will be shared between the Council and Marine Scotland (acting on behalf of Scottish Ministers) to enable them to process and adopt the Shetland Islands Regional Marine Plan.

Marine Scotland and Scottish Ministers need to access the personal data to consider the representations made in response to the Shetland Islands Regional Marine Plan consultation. Working alongside the Marine Planning Partnership, they will assess whether an independent person should be appointed to examine the representations. If an independent person is appointed they may need to contact that person to fully consider all matters relevant to the case before them.

In the event that an independent person is appointed, Marine Scotland (on behalf of Scottish Ministers) may publish your consultation response on the Marine Scotland website, to allow all parties with an interest in the Shetland Islands Regional Marine to view information that is being considered.

The exceptions are:

- Personal telephone numbers; personal mobile numbers; personal email addresses and signatures.
- Any sensitive information disclosed in consultation responses.
- Financial information and data that is considered to be defamatory.

Shetland Islands Council and Marine Scotland/Scottish Ministers may contact you by post, email or telephone with regards to your consultation response, in the event that we require further information or need to respond on the points you have raised.

Shetland Islands Council and Marine Scotland/Scottish Ministers may also use your information to verify your identity, where required, and contact you by post, email or telephone.

Will we send your information outwith the UK?

We do not transfer your information outwith the UK. If it becomes necessary to do so, we would ensure that the appropriate safeguards are in place.

How long do we keep your information for?

We only keep your personal information for the minimum amount of time necessary. Sometimes this time period is set out in the law, but in most cases it is based on the business need. We maintain a records retention and disposal schedule which sets out how long we hold different types of information for. You can view this on our website at <http://www.shetland.gov.uk/information-rights/InformationManagement.asp> or you can request a hard copy from the address above.

Your rights under data protection law

Access to your information

You have the right to request a copy of the personal information that we hold about you.

Correcting your information

We want to make sure that your personal information is accurate, complete and up to date. Therefore you may ask us to correct any personal information about you that you believe does not meet these standards.

Deletion of your information

You have the right to ask us to delete personal information about you where:

- you think that we no longer need to hold the information for the purposes for which it was originally obtained
- you have a genuine objection to our use of your personal information – see *Objecting to how we may use your information* below
- our use of your personal information is contrary to law or our other legal obligations.

Objecting to how we may use your information

You have the right at any time to tell us to stop using your personal information for direct marketing purposes.

Restricting how we may use your information

In some cases, you may ask us to restrict how we use your personal information. This right might apply, for example, where we are checking the accuracy of personal information that we hold about you or we are assessing the objection you have made to our use of your information.

This right might also apply if we no longer have a basis for using your personal information but you don't want us to delete the data. Where this right is realistically applied will mean that we may only use the relevant personal information with your consent, for legal claims or where there are other public interest grounds to do so.

Please contact us as stated above if you wish to exercise any of these rights.

Information you have given us about other people

If you have provided anyone else's details to the Council in your consultation response to the Shetland Islands Regional Marine Plan, please make sure that you have told them that you have given their information to Shetland Islands Council. We will only use this information for a specific purpose, e.g. to contact those people in the event of an emergency, to assess your own entitlement to a service or to contact them in order to take up references in the event that you are successful in your job application.

If they want any more information on how we will use their information they can visit our web site at www.shetland.gov.uk/planning or email dataprotection@shetland.gov.uk.

Complaints

We aim to directly resolve all complaints about how we handle personal information. If your complaint is about how we have handled your personal information, you can contact the Council's Data Protection Officer by E-mail at dataprotection@shetland.gov.uk or by Phone on (01595) 744 550.

However, you also have the right to lodge a complaint with the Information Commissioner's Office, who can be contacted by post at:

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

Phone: 0303 123 1113 (local rate) or 01625 545 745.

Visit their website for more information at- <https://ico.org.uk/concerns>

Please note if your complaint is not about a data protection matter or does not concern the handling of personal information, please contact us using the Council's Complaints Handling Procedure.