

Shetland Islands Council

COVID-19 Track and Trace – SIC Premises [general] 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 is 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?

For the health and safety of the customers/visitors and staff in Council premises where track and trace information is being gathered, we are recording the name and contact details of everyone who enters to support NHS Scotland's efforts in tackling COVID-19. This information will be used to enable NHS Scotland and statutory partners to contact you should you have been in the premises around the same time as someone who has tested positive for coronavirus. Contacting people who might have been exposed to the virus is an important step in stopping the spread. The full Scottish Government guidance on Test and Protect can be accessed at the following link: <https://www.gov.scot/publications/test-protect-multi-sector-guidance-collection-customer-visitor-contact-details-july-2020/>

Legal basis for using your information

We provide these services to you as part of our statutory function as your local authority. You can find more details of our role on our website. The Council is permitted to process your personal data in this way because it will assist with NHS Scotland's Test & Protect strategy in relation to the coronavirus public health pandemic.

Formally, the processing of personal data provided to us for this purpose satisfies Article 6(1)(e) of the General Data Protection Regulation – processing is necessary for a task carried out in exercise of official authority.

In this case, the official authority comes from s.20(1) of the local Government in Scotland Act 2003 which give the Council the power to do anything which it considers is likely to promote or improve the well-being of persons within its area.

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

Along with the date and time of your arrival and departure, we will collect the following personal data if applicable:

- your name; and
- contact telephone number.

If you do not have a telephone number, you have the option to provide:

- a postal address; or
- an email address.

Who do we share your information with?

As stated above, the purpose for which we are processing your personal data is to assist with NHS Scotland's efforts in tackling the coronavirus public health epidemic. This will involve the gathering and, when necessary, the sharing of information with NHS Scotland and statutory partners. Your data will not be used for any other purpose.

In order to assist in the containment of the virus, we will only share your data when it is requested directly by NHS Scotland and statutory partners. This will only be in the unlikely event there is a cluster of coronavirus cases linked to the premises.

For further information on the NHS Scotland Test and Protect strategy please visit the NHS website.¹

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?

Your personal data will be retained only for the purposes stated in this privacy notice and will be held by us for no more than 3 weeks (21 days).

All personal data will be held and disposed of in a safe and secure manner.

Your rights under data protection law

Access to your information

If at any point within the 21 days after your visit you decide you would like a copy of the personal data you provided, please contact us.

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

If at any point within the 21 days after your visit you decide you'd like us to delete the personal data you provided, please advise us and we will delete all information related to you.

¹ <https://www.informationgovernance.scot.nhs.uk/use-of-your-data-for-track-trace-isolate-tti/>

Objecting to how we may use your information

You have the right at any time to tell us to stop using your personal information. If you do so, we will delete all the personal data we hold in relation to you.

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.

In certain circumstances exemptions to these rights may apply. Further information is available on the Information Commissioner's Office website.²

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, 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 the purpose stated above to assist with NHS Scotland's efforts in tackling the coronavirus public health epidemic.

If they want any more information on how we will use their information they can visit our web site at <http://www.shetland.gov.uk/information-rights/DataProtection.asp> 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

² <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/exemptions/>

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.

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