Shetland Islands Council
Revenues and Benefits
Non Domestic Rates & Publication of Relief Recipients
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, ZE1 0LZ.

You can contact our data protection officer by post at this address, by email at dataprotection@shetland.gov.uk and by telephone on 01595 744 550.

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

You are giving us your personal information to allow us to administer non-domestic rates bills and determine, for instance, eligibility for non-domestic rates reliefs.

We may also use your information to verify your identity, contact you by post, email or telephone and to maintain our records.

In order to increase transparency around the use of public funds for non-domestic rates relief awards, information associated with the awarding of the non-domestic rates reliefs will be published on our website. This information may include the liability holder (company or sole trader name), non-domestic property information (including relevant property reference numbers), and the date of the relief award, type of relief award, gross bill and net bill.

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 about this on our website. Processing your personal information may be necessary for the performance of a task carried out in the public interest by the Council.

Where we are relying on task carried out in the public interest as the lawful basis for processing, we rely on various pieces of legislation. Some of the key legislation we adhere to are detailed below:

- Local Government (Scotland) Act 1975

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

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

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

- Your name, address and contact details, including email address and telephone number
- Ownership and/or tenancy details for non-domestic property(s)

We collect the data held from a variety of sources including:

- Forms, or information received either over the telephone, online or paper applications forms.
- From the District Valuer Services

All personal data is held within a secure information management system.

Who do we share your information with?

We are legally obliged to safeguard public funds so we are required to verify and check your details internally for fraud prevention. We may share this information with other public bodies (and also receive information from these other bodies) for fraud-checking purposes.

We are also legally obliged to share certain data with other public bodies, such as other local authorities or Her Majesty's Revenue and Customs and will do so where the law requires this. We will also generally comply with request for specific information from other regulatory and law enforcement bodies where this is necessary and appropriate.

Your information is also analysed internally and externally to help us improve our services and to comply with legislations. We provide an internal audit service because the law states we must do so. The law also states we must be audited externally. The external auditors are appointed by Audit Scotland. Our internal audit team and the external auditors may process any personal information held within the Council for its contractors and partners) in order to assess and provide assurances on the arrangements for governance, risk management and internal control within the service area. External audit will also ensure that the financial position stated in the annual accounts give a true and fair view in accordance with the law and codes of practice.

The Council is legally obliged to participate in the National Fraud Initiative in Scotland. As part of this exercise, the Council shares information with Audit Scotland for the prevention and detection of fraud. Further information can be found on Audit Scotland's website at https://audit.scot/what-we-do/counter-fraud.

In order to meet our legal obligations and to promote openness & transparency around the use of public funds and the awarding of non-domestic rates reliefs, relief recipients should be aware that the details of all relief awards will be published on our website.

Your information will be shared with the Scottish Government for the purposes of analysis. This data-sharing is in accordance with our data protection policies. It also forms part of our requirements in line with our Records Management Plan approved in terms of the Public Records (Scotland) Act 2011. The Scottish Government may also publish compiled lists of relief award recipients.

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 period 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 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 and where:

I. you think that we no longer need to hold the information for the purposes for which it was originally obtained
II. you have a genuine objection to our use of your personal information – see *Objecting to how we may use your information* below
III. 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 on this form, please make sure that you have told them that you have given their information to the Shetland Islands Council. We will only use this information to process and administer your claim.

If they want any more information on how we will use their information they can visit our web site at www.shetland.gov.uk/information-rights/DataProtection.asp or email at 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 email at dataprotection@shetland.gov.uk or by 01595 744550

However, you also have the right to lodge a complaint about data protection matters 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.