

Shetland Islands Council

Council and Committee Meetings - 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?

Shetland Islands Council will use your personal information when you view/attend/participate in an online meeting or attend a meeting in the Council Chamber, or other premises where participants are advised in advance or at the time of meeting taking place, that live broadcasting or recording of a meeting is being carried out.

By attending such meetings as an observer you are giving us your personal information, and/or your image, to allow us to promote democratic engagement, improve accessibility and openness of our decision making process.

In the process of agreeing or exercising any right under legislation to participate in a meeting, such as to speak in favour or against a planning application, or to make a presentation to the Council as part of a deputation or petition, you are giving us your personal information, and/or your image, to allow us to promote democratic engagement, improve accessibility and openness of our decision making process.

Council and Committee meetings may be recorded or live-streamed via the Council's internet site, Public –i microsite where it will be capable of repeated viewing.

We share your information with Elected Members and other Shetland Islands Council services and make the recordings of the meetings publically available to members of the public.

Recordings of Council meetings may also be used for internal training in order to ensure that Council meetings are run in accordance with relevant procedure and protocol.

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 lawful basis we are relying on for this processing is Article 6(1)(e) of the UK GDPR which states that processing is necessary for the performance of a task carried out in the public interest; and Article 6(1)(c) where processing is necessary for compliance with a legal obligation to which the Council is subject to.

Where we are relying on a task carried out in the public interest or legal obligation as the lawful basis for processing, we rely on various pieces of legislation. This includes, but is not limited to, the Local Government (Scotland) Act 1973, as amended, which contains provisions which govern local authority meetings and which extend to Committee meetings. This includes meetings of the Planning or Licensing Committees which are required to consider regulatory matters where you may be an applicant, agent, or objector.

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

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

- Name
- Contact details
- e-mail address
- IP address
- video images
- voice/audio
- photographs
- any other personal information you provide during the course of the meeting.

All personal contact data is held within the Council's secure network.

Personal data is obtained in advance of meetings by email, telephone, letter or face-to-face contact with a Council employee. Personal data is also obtained from physical presence in the meeting room or Council Chamber, images of those joining remotely, name plates, and on-screen name tags of those joining remotely.

Personal data [images] captured while you attend a Council or Committee meeting may be recorded or live-streamed to the general public via the Council's internet site or Public-i microsite, where it will also be capable of repeated viewing. Recordings will also be stored on the recording system Public-i. Public-i's privacy notice is available on their website <https://shetland.public-i.tv/core/portal/privacy>

Exempt items will not be recorded, this will include special category information and criminal offence data.

Who do we share your information with?

We share your information with Elected Members and other Shetland Islands Council services or staff, and make the recordings of the meetings publically available to members of the public.

The recording of council and committee meetings will be done through our processor Public-i. The live broadcast and the recording will be available to members of the public.

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 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 (or 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.

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
- 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 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.

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

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.

Changes to this privacy notice

We will continually review and update this privacy notice to reflect changes in our services, feedback from customers, and to comply with any changes in the law.

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