

# Privacy Notice

The Data Controller of the information being collected is Aberdeenshire Council.

The Data Protection Officer can be contacted at Town House, 34 Low Street, Banff, AB45 1AY.

Email: [dataprotection@aberdeenshire.gov.uk](mailto:dataprotection@aberdeenshire.gov.uk)

Your information is being collected to use for the following purposes:

- To carry out consumer surveys
- To carry out business surveys

Your information is:

Being collected by Aberdeenshire Council	X
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The Legal Basis for collecting the information is:

Personal Data		Special categories of personal data	
Consent	X	The data subject has given explicit <b>consent</b> to the processing	
Performance of a Contract		Processing is necessary for the purposes of carrying out the obligations of the controller or of the data subject in the field of <b>employment, and social security and social protection law</b>	
Legal Obligations			
Vital Interests		Processing is necessary to protect the <b>vital interests</b> of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent	
Task carried out in the Public Interest		Processing relates to personal data which are made <b>public</b> by the data subject	
Legitimate Interests <sup>1</sup>		Processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity	
		Processing is necessary for reasons of <b>substantial public interest</b>	
		Processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the	

	employee, medical diagnosis, the provision of <b>health or social care</b> or treatment, or the management of health or social care systems	
	Processing is necessary for reasons of public interest in the area of <b>public health</b>	
	Processing is necessary for archiving purposes in the <b>public interest</b> , scientific or historical research purposes or statistical purposes	

*Please tick all that apply*

Where the Legal Basis for processing is either Performance of a Contract or Legal Obligation, please note the following consequences of failure to provide the information:

*"Not applicable".*

Your information will be shared with the following recipients or categories of recipient:

*"Not applicable"*

Your information will be transferred to or stored in the following countries and the following safeguards are in place:

*"Not applicable".*

The retention period for the data is:

*Year of collection plus 5 years*

The following automated decision-making, including profiling, will be undertaken:

*"Not applicable".*

Please note that you have the following rights:

- to withdraw consent at any time, where the Legal Basis specified above is Consent;
- to lodge a complaint with the Information Commissioner's Office (after raising the issue with the Data Protection Officer first);
- to request access to your personal data;
- to data portability, where the legal basis specified above is:
  - (i) Consent; or
  - (ii) Performance of a Contract;
- to request rectification or erasure of your personal data, as so far as the legislation permits.

Where the Legal Basis for processing is Consent, please confirm that you have been provided:

- why your information is being collected;
- the purposes for your information being collected;
- full information about the intended processing;
- details of any sharing of your information;
- details of the security for transferring your information to any country outside the EEA;
- the applicable retention period;
- details of any automated decision-making or profiling applied to your information; and
- details of your rights.

I understand that I have the right to withdraw this consent at any time by contacting

[Trading.Standards@aberdeenshire.gov.uk](mailto:Trading.Standards@aberdeenshire.gov.uk)

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

**APPENDIX TWO**  
**EXAMPLES OF COMPLETED PRIVACY NOTICES**

## 1. Example from Education for the Application of Use of Education and Children’s Services’ Facilities using the Legal Basis of Performance of a Contract and Legal Obligations

# Privacy Notice

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Email: [dataprotection@aberdeenshire.gov.uk](mailto:dataprotection@aberdeenshire.gov.uk)

Your information is being collected to use for the following purposes:

- The processing of application for use of council facilities

Your information is:

Being collected by Aberdeenshire Council	X
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The Legal Basis for collecting the information is:

Personal Data		Special categories of personal data	
Consent		The data subject has given explicit <b>consent</b> to the processing	
Performance of a Contract	x	Processing is necessary for the purposes of carrying out the obligations of the controller or of the data subject in the field of <b>employment, and social security and social protection law</b>	
Legal Obligations	x		
Vital Interests		Processing is necessary to protect the <b>vital interests</b> of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent	
Task carried out in the Public Interest		Processing relates to personal data which are made <b>public</b> by the data subject	
Legitimate Interests <sup>2</sup>		Processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity	

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<sup>2</sup> Please see the Privacy Notice Guidance for details of limited use of this ground for processing personal data

	Processing is necessary for reasons of <b>substantial public interest</b>	
	Processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of <b>health or social care</b> or treatment, or the management of health or social care systems	
	Processing is necessary for reasons of public interest in the area of <b>public health</b>	
	Processing is necessary for archiving purposes in the <b>public interest</b> , scientific or historical research purposes or statistical purposes	

*Please tick all that apply*

Where the Legal Basis for processing is either Performance of a Contract or Legal Obligation, please note the following consequences of failure to provide the information:

If the correct information is not provided the application will not be progressed to the next stage.

Your information will be shared with the following recipients or categories of recipient:

Education & Children's Service colleagues where there is an issue over charging. Finance colleagues where there is an invoice dispute.

Your information will be transferred to or stored in the following countries and the following safeguards are in place:

N/A

The retention period for the data is:

5 years

The following automated decision-making, including profiling, will be undertaken:

N/A

Please note that you have the following rights:

- to withdraw consent at any time, where the Legal Basis specified above is Consent;

- to lodge a complaint with the Information Commissioner's Office (after raising the issue with the Data Protection Officer first);
  - to request access to your personal data;
  - to data portability, where the legal basis specified above is:
    - (ii) Consent; or
    - (ii) Performance of a Contract;
  - to request rectification or erasure of your personal data, as so far as the legislation permits.
-

## 2. Example from Legal and Governance concerning Boat Hire using the legal basis of Legal Obligation

# Privacy Notice

The Data Controller of the information being collected is Aberdeenshire Council.

The Data Protection Officer can be contacted at Town House, 34 Low Street, Banff, AB45 1AY.

Email: [dataprotection@aberdeenshire.gov.uk](mailto:dataprotection@aberdeenshire.gov.uk)

Your information is being collected to use for the following purposes:

- The processing of your application for a Boat Hire Licence
- The determination of your application for a Boat Hire Licence
- The issue of any Boat Hire Licence Granted
- Inclusion on the Register of Boat Hire Licences available for public inspection
- Ensuring compliance with the terms of your Boat Hire Licence
- The processing of any complaints made in respect of your Boat Hire Licence
- The determination of any complaints made in respect of your Boat Hire Licence

Your information is:

Being collected by Aberdeenshire Council	X
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The Legal Basis for collecting the information is:

Personal Data		Special categories of personal data	
Consent		The data subject has given explicit <b>consent</b> to the processing	
Performance of a Contract		Processing is necessary for the purposes of carrying out the obligations of the controller or of the data subject in the field of <b>employment, and social security and social protection law</b>	
Legal Obligations	X		
Vital Interests		Processing is necessary to protect the <b>vital interests</b> of the data subject or of another	



		natural person where the data subject is physically or legally incapable of giving consent	
Task carried out in the Public Interest		Processing relates to personal data which are made <b>public</b> by the data subject	
Legitimate Interests <sup>3</sup>		Processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity	
		Processing is necessary for reasons of <b>substantial public interest</b>	
		Processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of <b>health or social care</b> or treatment, or the management of health or social care systems	
		Processing is necessary for reasons of public interest in the area of <b>public health</b>	
		Processing is necessary for archiving purposes in the <b>public interest</b> , scientific or historical research purposes or statistical purposes	

*Please tick all that apply*

Where the Legal Basis for processing is either Performance of a Contract or Legal Obligation, please note the following consequences of failure to provide the information:

*If you fail to provide the information required on the attached application form, Aberdeenshire Council may not be in a position to accept the application as a competent application. This means that your application cannot be processed and will be returned to you.*

<sup>3</sup> Please see the Privacy Notice Guidance for details of limited use of this ground for processing personal data

Your information will be shared with the following recipients or categories of recipient:

- *Police Scotland*
- *Environmental Health*
- *Planning Services*
- *Some information will also be shared with the Public via the Register of Boat Hire Licences*
- *Scottish Fire & Rescue Service*
- *Transport & Infrastructure (Harbour Services)*
- *Civic Licensing Standards Officers*

Your information will be transferred to or stored in the following countries and the following safeguards are in place:

N/A

The retention period for the data is:

- (1) *Where an application for the grant of a licence, permit or permission is refused by the Business Services' Licensing Sub-Committee (or relevant Area Committee) information relating to that licence, permit or permission will be retained for a period of 2 years from the date of refusal and thereafter will be destroyed*
- (2) *In any other case, information relating to a licence, permit or permission will be retained for a period of 2 years from the date the licence, permit or permission ceases to have effect and will thereafter be destroyed*

The following automated decision-making, including profiling, will be undertaken:

N/A

Please note that you have the following rights:

- to withdraw consent at any time, where the Legal Basis specified above is Consent;
  - to lodge a complaint with the Information Commissioner's Office (after raising the issue with the Data Protection Officer first);
  - to request access to your personal data;
  - to data portability, where the legal basis specified above is:
    - (iii) Consent; or
    - (ii) Performance of a Contract;
  - to request rectification or erasure of your personal data, as so far as the legislation permits.
-

### 3. Example from [] concerning Pedometer Challenge with the Legal Basis of Consent

# Privacy Notice

The Data Controller of the information being collected is Aberdeenshire Council.

The Data Protection Officer can be contacted at Town House, 34 Low Street, Banff, AB45 1AY.

Email: [dataprotection@aberdeenshire.gov.uk](mailto:dataprotection@aberdeenshire.gov.uk)

Your information is being collected to use for the following purposes:

- Participation in the workplace Pedometer Challenge
- As a team leader for your group of participating employees, you will be sent weekly emails for the duration of the challenge. This will include weekly newsletters, score submission reminders and any other essential notifications on this challenge

Your information is:

Being collected by Aberdeenshire Council	X
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The Legal Basis for collecting the information is:

Personal Data		Special categories of personal data	
Consent	X	The data subject has given explicit <b>consent</b> to the processing	
Performance of a Contract		Processing is necessary for the purposes of carrying out the obligations of the controller or of the data subject in the field of <b>employment, and social security and social protection law</b>	
Legal Obligations			
Vital Interests		Processing is necessary to protect the <b>vital interests</b> of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent	
Task carried out in the Public Interest		Processing relates to personal data which are made <b>public</b> by the data subject	
Legitimate Interests <sup>4</sup>		Processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity	

<sup>4</sup> Please see the Privacy Notice Guidance for details of limited use of this ground for processing personal data



	Processing is necessary for reasons of <b>substantial public interest</b>	
	Processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of <b>health or social care</b> or treatment, or the management of health or social care systems	
	Processing is necessary for reasons of public interest in the area of <b>public health</b>	
	Processing is necessary for archiving purposes in the <b>public interest</b> , scientific or historical research purposes or statistical purposes	

*Please tick all that apply*

Where the Legal Basis for processing is either Performance of a Contract or Legal Obligation, please note the following consequences of failure to provide the information:

*"Not applicable"*

Your information will be shared with the following recipients or categories of recipient:

*"Not applicable"*

Your information will be transferred to or stored in the following countries and the following safeguards are in place:

*"Not applicable".*

The retention period for the data is:

*18 months*

The following automated decision-making, including profiling, will be undertaken:

*"Not applicable"*

Please note that you have the following rights:

- to withdraw consent at any time, where the Legal Basis specified above is Consent;

- to lodge a complaint with the Information Commissioner's Office (after raising the issue with the Data Protection Officer first);
  - to request access to your personal data;
  - to data portability, where the legal basis specified above is:
    - (iv) Consent; or
    - (ii) Performance of a Contract;
  - to request rectification or erasure of your personal data, as so far as the legislation permits.
- 

Where the Legal Basis for processing is Consent, please confirm that you have been provided:

- why your information is being collected;
- the purposes for your information being collected;
- full information about the intended processing;
- details of any sharing of your information;
- details of the security for transferring your information to any country outside the EEA;
- the applicable retention period;
- details of any automated decision-making or profiling applied to your information; and
- details of your rights.

I understand that I have the right to withdraw this consent at any time by contacting  
[steven.thompson@aberdeenshire.gov.uk](mailto:steven.thompson@aberdeenshire.gov.uk)

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

#### 4. Example from Education and Children’s Services for Education Maintenance Allowance using the Legal Basis of Performance of a Contract

## Privacy Notice

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The Data Protection Officer can be contacted at Town House, 34 Low Street, Banff, AB45 1AY.

Email: [dataprotection@aberdeenshire.gov.uk](mailto:dataprotection@aberdeenshire.gov.uk)

Your information is being collected to use for the following purposes:

- Establishing eligibility criteria for the provision of an Education Maintenance Allowance

Your information is:

Being collected by Aberdeenshire Council	X
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The Legal Basis for collecting the information is:

Personal Data		Special categories of personal data	
Consent		The data subject has given explicit <b>consent</b> to the processing	
Performance of a Contract	X	Processing is necessary for the purposes of carrying out the obligations of the controller or of the data subject in the field of <b>employment, and social security and social protection law</b>	
Legal Obligations			
Vital Interests		Processing is necessary to protect the <b>vital interests</b> of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent	
Task carried out in the Public Interest		Processing relates to personal data which are made <b>public</b> by the data subject	
Legitimate Interests <sup>5</sup>		Processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity	

<sup>5</sup> Please see the Privacy Notice Guidance for details of limited use of this ground for processing personal data



	Processing is necessary for reasons of <b>substantial public interest</b>	
	Processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of <b>health or social care</b> or treatment, or the management of health or social care systems	
	Processing is necessary for reasons of public interest in the area of <b>public health</b>	
	Processing is necessary for archiving purposes in the <b>public interest</b> , scientific or historical research purposes or statistical purposes	

*Please tick all that apply*

Where the Legal Basis for processing is either Performance of a Contract or Legal Obligation, please note the following consequences of failure to provide the information:

If the correct information is not provided the application will not be progressed to the next stage.

Your information will be shared with the following recipients or categories of recipient:

The educational establishment attended by the Student  
 The Scottish Government  
 EMA Scotland  
 SEEMiS

Your information will be transferred to or stored in the following countries and the following safeguards are in place:

Not Applicable

The retention period for the data is:

6 years

The following automated decision-making, including profiling, will be undertaken:

Not Applicable

Please note that you have the following rights:

- to withdraw consent at any time, where the Legal Basis specified above is Consent;
  - to lodge a complaint with the Information Commissioner's Office (after raising the issue with the Data Protection Officer first);
  - to request access to your personal data;
  - to data portability, where the legal basis specified above is:
    - (v) Consent; or
    - (ii) Performance of a Contract;
  - to request rectification or erasure of your personal data, as so far as the legislation permits.
-