

Privacy Notice

Community Asset Transfer

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

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

To allow Aberdeenshire Council to assess the merits of your Community Asset Transfer application as made under the provisions of the Community Empowerment (Scotland) Regulations 2015.

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 consent 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 employment, and social security and social protection law	
Legal Obligations	X	Processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent	
Vital Interests		Processing relates to personal data which are made public by the data subject	
Task carried out in the Public Interest		Processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity	



From mountain to sea

Legitimate Interests ¹	Processing is necessary for reasons of substantial public interest	
	Processing is necessary for legitimate activities with appropriate safeguards by a foundation, association or any other not-for-profit body with a political, philosophical, religious or trade union aim and on condition that the processing relates solely to the members or to former members of the body or to persons who have regular contact with its connections with its purposes and that the personal data are not disclosed outside that body without the consent of the individuals	
	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 health or social care or treatment, or the management of health or social care systems	
	Processing is necessary for reasons of public interest in the area of public health	
	Processing is necessary for archiving purposes in the public interest , scientific or historical research purposes or statistical purposes	

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:

The information is required to allow the Council to determine the merits of the Community asset Transfer application made by the community or voluntary group under the Community Empowerment (Scotland) Act 2015. Without the required personal data the application could not be considered and therefore no asset transfer could take place.



From mountain to sea

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

All applications would be considered internally by officers of the Council and would be reported to the relevant committee for determination. If the Council refuses the application the community/voluntary group has a right of appeal to Scottish Ministers. Under the Community Empowerment (Scotland) Act 2015 the Council is required to publish a notice informing the public of the asset transfer request. This would not contain personal data and no personal data will be shared with a third party outwith the asset transfer process.

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

N/A all applications would be stored locally on Council servers.

The retention period for the data is:

If the property is disposed of 5 years from date of disposal, if leased, 5 years from expiry of lease.

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

NA.

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 object, where the legal basis specified above is:
 - (i) Performance of a Public Task; or
 - (ii) Legitimate Interests.
- 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.