# Stopping Up of Roads, Diversion and Redetermination of Means of Exercise of Public Right of Passage Orders – Privacy Notice

## Data Controller

Inverclyde Council is the Data Controller. Inverclyde Council is a local authority established under the Local Government etc. (Scotland) Act 1994. Our head office is located at Municipal Buildings, Clyde Square, Greenock, PA15 1LY.

## Data Protection Officer

If you would like to contact our Data Protection Officer about a data protection matter, please contact the Information Governance Team using the contact details for the Council set out above or by email at [dataprotection@inverclyde.gov.uk](mailto:dataprotection@inverclyde.gov.uk).

## What information do we need?

The personal information we may gather and use includes:

* Name
* Address
* Previous Address
* Date of Birth
* Email address
* Telephone number

## Why we need this information?

You are giving us this information to allow us to carry out our statutory functions under the Roads (Scotland) Act 1984, the Town and Country Planning (Scotland) Act 1997 and related information. The Council also uses your information to verify your identity where required, contact you by post, email or telephone and to maintain our records.

## Legal basis for using information

The Council provides these services to you as part of our statutory function as your local authority. You can find more details of our role on the [Council’s website](https://www.inverclyde.gov.uk/).

Processing your personal information is necessary for the performance of a task carried out in the public interest by the Council and necessary for compliance with a legal obligation to which the Council is subject.

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

We also in some cases need to process more sensitive personal information about you for reasons of substantial public interest as set out in the Data Protection Act 2018. It is necessary for us to process it to carry out key functions as set out in law.

## What we will do with your information

The Council is legally obliged to safeguard public funds so we are required to verify and check your details internally for fraud prevention. The Council may share this information with other public bodies (and also receive information from these other bodies) for fraud checking purposes. The Council are also legally obliged to share certain data with other public bodies, such as His Majesty’s Revenue and Customs and will do so where the law requires this. The Council will also generally comply with requests for specific information from other regulatory and law enforcement bodies where this is necessary and appropriate.

Personal data you have provided may also be made available online as required to allow us to carry out our statutory functions under the Roads (Scotland) Act 1984, the Town and Country Planning (Scotland) Act 1997 and related legislation.

We may also share your personal data which you have provided with other statutory bodies and consultees.

Your information will be shared with other Council departments, such as Roads and Legal Services. It will form part of any relevant Inverclyde Council Committee Report(s) in respect of the proposed Order and will be shared with an independent Reporter, should a Reporter require to be appointed by the Council or Scottish Government to hold a Public Hearing to consider the proposed Order and any maintained objections to the proposed Order. Your information could therefore form part of the Council’s Statement of Case and of any Report issued by an independent Reporter.

The Council analyses your information internally to help us improve the Council’s services. This data sharing is covered in the Council’s full [privacy notice](https://www.inverclyde.gov.uk/site-basics/privacy) on the Council’s website. It also forms part of the Council requirements in line with the Council Records Management Plan approved in terms of the Public Records (Scotland) Act 2011.

In general the Council does not transfer personal data outside either the UK or the European Union and on the rare occasions when it does so the Council will inform you. The Council will only transfer data outside the UK and the EU when it is satisfied that the party which will handle the data and the country it is processing it in will provide adequate safeguards for personal privacy.

## Information you have given us about other people

If you have provided anyone else's details, please make sure that you have told them that you have given their information to Inverclyde Council.  We will only use this information to contact them in relation to the application/correspondence you have made or in carrying out the related planning or roads function.

If they want any more information on how we will use their information they can visit our [website](https://www.inverclyde.gov.uk/site-basics/privacy) or contact us by [email](mailto:dataprotection@inverclyde.gov.uk).

## How long will we keep your information?

We only keep your personal information for the minimum amount of time necessary. The Council maintains a Policy for the Retention and Disposal of Documents and Records Paper and Electronic which sets out how long we hold different types of information for. This is available on the Council’s website at [Data Protection Policy - Inverclyde Council](https://www.inverclyde.gov.uk/law-and-licensing/freedom-of-information/data-protection-policy) or you can request a hard copy from the contact address previously stated above.

## Your Rights

Your personal data belongs to you and you have the right to:

* be informed of how we will process it;
* request a copy of what we hold about you;
* have it amended if it’s incorrect or incomplete;
* have it deleted (where we do not have a legal requirement to retain it);
* withdraw your consent if you no longer wish us to process;
* restrict how we process it;
* object to us using it for marketing or research purposes;
* object to us using it in relation to a legal task or in the exercise of an official authority;
* request that a person reviews an automated decision where it has an adverse effect on you.

## Complaints

In addition, if you are unhappy with the way the Council have processed your personal data you have the right to complain to the UK Information Commissioner who can be contacted as follows:

Information Commissioner’s Office

Wycliffe House

Water Lane

Wilmslow

Cheshire SK9 5AF

Phone: 0303 123 1113 or visit the Information Commissioner’s Office’s [website](http://www.ico.org.uk/complaints).

but you should raise the issue with the Council’s Data Protection Officer first.

Automated Decision Making

We will not use your data for any automated decision making.

## More information:

For more details on how the Council processes your personal information visit the [Council’s website.](http://www.inverclyde.gov.uk/privacy) If you do not have access to the internet you can contact the Council via telephone to request hard copies of our documents.