

## PRIVACY NOTICE – NETS, Land & Countryside Services

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### Our Contact Details

**Name:** Victoria Mungall

**Address:** Whitehill Service Centre, 4 Inchmuir Road, Whitehill Industrial Estate, Bathgate, EH48 2EP

**Phone Number:** 01506 284623

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### YOUR PERSONAL INFORMATION AND HOW IT WILL BE USED

Under data protection law, the lawful bases we rely on for processing this information are:

- a) We need it to perform a public task.
- b) We have a legal obligation.

We will collect personal information about you to deliver our services.

We use the information that you have given us in order to provide the services you request and, if necessary, to contact you about those services. We may also use your information to assist us to plan future services. Under data protection law, the lawful basis we rely on for processing most of this information is: We need to perform our public tasks involved in maintaining the natural and built environment of West Lothian. However, we have a legal obligation regarding the information relating to fixed penalty notices.

We only keep information about you for as long as required. The table shows what information we collect, and how we manage this.

For this activity:	We collect	From	Reason	Information retention	We will share this with these organisations
<b>General enquiry / service request / complaint / booking</b>	Contact details	You	Managing your request and contacting you.  Reporting and planning in the future.	For six years from enquiry completion, apart from Beecraigs secure dog area registration details which are refreshed annually.	None
<b>Burial and Lair provision</b>	Name, address and contact details of lair owner	You	Lair provision – we have a statutory duty to record who owns cemetery lairs and who is buried within.	Indefinitely - as we are required to do under the Burial and Cremation (Scotland) Act 2016.	None
<b>Burial Application Form</b>	Details as completed in the Burial Application Form including name, address and contact details of person registering a death, next of kin or their representative, and health authority as required.	You	We have a statutory duty to record the information from the actual form submitted by the applicant.	Fifty years - as we are required to do as per the Burial (Applications and Register) (Scotland) Regulations 2024.	None

For this activity:	We collect	From	Reason	Information retention	We will share this with these organisations
<b>Garden maintenance scheme</b>	Contact details  Date of birth  Access and mobility requirements  Supporting medical information	You	Provision of a garden maintenance service	One year after you leave the scheme	None
<b>Customer surveys</b>	Contact details	You	Contacting you	Five years	None
<b>Fixed Penalty Notices</b>	Video images  Still images  Your contact details  Offence details	Cameras, or members of the public  You  Enforcement officers	Serving a fixed penalty notice in line with EPA 1990 section 33a.  If required – debt collection purposes	Recordings and images will be kept for a maximum of six months or when the fine is paid in full, which ever is greater. In the event of an unpaid fine, we will pass your information to the procurator fiscal who then takes responsibility over to ensure appropriate enforcement actions are taken against you the offender.	Your name, contact address and amount outstanding may be shared with the Procurator Fiscal if you do not pay the fixed penalty notice.

For this activity:	We collect	From	Reason	Information retention	We will share this with these organisations
				<p>If the need arises for any case to be forward to the Procurator Fiscal, the maximum duration for holding on to evidence in the event of an unpaid fine (six months) is extended indefinitely as all evidence needs to be kept until presented in court.</p> <p>Offence details captured at the time of the offence and held on paper will be kept for two years.</p> <p>Overall spreadsheet records of offences will be kept for three years and then be anonymised.</p>	
<b>Health and Safety</b>	Video images	Body worn cameras	<p>Ensuring the safety of our staff</p> <p>Training</p>	<p>Up to three years if involved in an investigation.</p> <p><i>Not retained if no incidents recorded.</i></p>	Shared internally for the investigation of the incident

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## YOUR RIGHTS

Under data protection law, you have rights including:

<b>Your right of access</b>	You have the right to ask us for copies of your personal information.
<b>Your right to rectification</b>	You have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.
<b>Your right to erasure</b>	You have the right to ask us to erase your personal information in limited circumstances.
<b>Your right to restriction of processing</b>	You have the right to ask us to restrict the processing of your personal information in certain circumstances.
<b>Your right to object to processing</b>	You have the the right to object to the processing of your personal information in certain circumstances
<b>Your right to data portability</b>	You have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances.

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

To make a request contact us using the contact information at the start of this document.

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## PROVIDING ACCURATE INFORMATION

It is important that we hold accurate and up to date information about you in order to deliver our services. If any of your details have changed, or change in the future, please ensure that you tell us as soon as possible so that we can update your records.

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## FURTHER INFORMATION

If you have any questions or concerns about how your information is used, please contact us at the address above.

You can also contact:

The Data Protection Officer, West Lothian Council, West Lothian Civic Centre, Howden South Road, Livingston, West Lothian, EH54 6FF, email: [DataProtectionOfficer@westlothian.gov.uk](mailto:DataProtectionOfficer@westlothian.gov.uk)

More information about data protection and how it applies to you, including how to make a complaint, is available from the Information Commissioner's Office at <https://ico.org.uk/>

### **The Information Commissioner's address:**

Information Commissioner's Office  
Wycliffe House, Water Lane  
Wilmslow, Cheshire  
SK9 5AF  
Helpline number: 0303 123 11133