

DATA PROTECTION/INDIVIDUAL'S RIGHTS

What are your rights?

The General Data Protection Regulation gives individuals more rights in relation to how their personal information is handled.

These rights are as follows:

Right to Rectification

An individual has the right to have personal data corrected if it is found to be inaccurate. This includes the right to have personal data completed, such as the addition of a supplementary statement.

Right of Erasure

The right to erasure is also known as 'the right to be forgotten'. This enables an individual to request the deletion or removal of personal data where there is no reason for the Assessor for Fife Council (the Assessor) to process it. The Assessor must consider whether one of the grounds for exercising this right have been met and whether any relevant exemption to this right can be relied upon.

Right to Restriction of Processing

An individual has the right to request us to stop using their personal data in the following circumstances:

- Where an individual contests the accuracy of the personal data, we should restrict the processing until we have verified the accuracy of the personal data.
- Where an individual has objected to the processing and we are considering whether the Assessor's legitimate grounds override those of the individual.
- When processing is unlawful and the individual opposed erasure and requests restriction instead.
- The Assessor no longer needs the personal data but they are required by the individual for the establishment, exercise or defence of legal claims.

The Right to Object

Individuals have the right to object to:

- Processing based on legitimate interests or the performance of a task in the public interest/exercise of official authority.
- Direct marketing.
- Processing for purposes of scientific/historical research and statistics.

Individuals must have an objection on "grounds relating to his or her particular situation"

The Assessor must stop processing the personal data unless:

- The Assessor can demonstrate compelling legitimate grounds for the processing, which override the interests, rights and freedoms of the individual; or
- The processing is for the establishment or defence of legal claims

You must be informed of your rights to object “at the point of first communication with the Assessor”

Withdrawal of Consent

If the Assessor is relying on consent to process personal data, an individual can withdraw this consent at any given time. This does not affect the lawfulness of the processing before its withdrawal.

What to do if you want to exercise one of the above rights?

Any request should be made giving as much detail as possible.

The requests can be emailed to the Assessor’s Data Protection Officer: dataprotection@fife.gov.uk.

Or sent to:

Data Protection Officer
5th Floor
Fife House
North Street
Glenrothes
KY7 5LT

Subject Access Request

Individuals can make a request for a copy of their personal data, or to find out what personal data is held about them and why it is held.

Any request should be made giving as much detail as possible.

The requests can be emailed to the Assessor for Fife Council at: Fife.Assessor@fife.gov.uk

Or sent to:

Assessor for Fife Council
Bankhead Central 2
Bankhead Park
Glenrothes
Fife
KY7 6GH

Who to contact for further information?

You can contact the Assessor for Fife Council for data protection issues on 03451 55 55 33 or by email at: Fife.Assessor@fife.gov.uk The Assessor’s Data Protection Officer, Fiona Stuart, can be contacted by email at: dataprotection@fife.gov.uk. or by telephoning 03451 55 00 11 and asking for her.

If you remain dissatisfied with the outcome of your request to exercise one of the above rights, you may wish to contact the Information Commissioner’s Office to raise your concern or complaint. The ICO can be contacted in writing at: Information Commissioner’s Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or telephone: 0303 123 1113 or online:

<https://ico.org.uk/concerns/getting/> .