

Trading Standards and Environmental Health



Third Party Privacy Notice - Use of Noise APP

As the 'data controller' for the personal information – or data – we hold about you, South Ayrshire Council decides how your personal information is used/processed, and what it is used for. This statement provides more details about this and provides information on how to get in touch with us if you need to know more.

Your personal data – what is it?

Personal data is information relating to a living person who can be identified from that data. Identification can be based on the information alone, or in conjunction with any other information. The processing of personal data is governed by the UK General Data Protection Regulation as supplemented by the Data Protection Act 2018.

What Personal Data have we obtained?

We will be undertaking an investigation into noise emanating from your property. This may include recordings taken of the noise from a third party, provided to our service to establish if the concerns raised require further action. We will only collect the personal information we need to investigate the noise concern raised, and to ensure we have investigated this concern in line with our legal obligations as a Council. The personal data will include noise recordings, and may also include your name, address and telephone number.

This personal data has been provided to us by a third party and is not publicly sourced information.

How will we use your information?

We will use the recorded information to establish if there is a basis to undertake further investigations into a complaint received. The recordings that are made of the noise emanating from your property will be considered by Environmental Health Officers, who are tasked to fulfil our statutory duty to investigate potential statutory nuisance in terms of the Environmental Protection Act 1990. The legal basis for processing your personal data under the GDPR will be our public task (i.e. our legal requirement to investigate under the 1990 Act).

Who will we share your information with?

Some of your personal information, e.g. your name and address, may be shared with the following organisations if it is considered necessary when investigating the noise complaint: Housing, Social Work, NHS Ayrshire & Arran and Strathclyde Police

The actual noise recordings we receive will be considered as part of a complaint made regarding noise nuisance coming from your property. These recordings will be reviewed by Environmental Health officers for the purpose of investigation but will not be shared with any other organisations.

How long do we keep hold of your information?

We keep your personal data (e.g. your name address and written records of our investigation) for no longer than reasonably necessary and it is generally the current year plus two years after the closure of our investigation. The recordings that may be taken when we initially investigate the complaint will be deleted after they have been assessed by the investigating officer. We will not hold the recordings on our files.

What are your rights?

In certain circumstances, you can ask us to:

- * correct your personal information if it is inaccurate;
- * complete your personal information if it is incomplete;
- * restrict the processing of your personal information in certain circumstances; and
- * erase your personal information in certain circumstances.
- * You also have the right to object to the processing of your personal information.

What about Automated Decision- Making?

The Council does not use profiling or automated decision-making. Some processes are semi-automated (such as data matching for the prevention or detection of fraud), but an actual person will always be involved before any decision is reached affecting any individual..*

Do you require this statement in a different format?

Please contact us if you require this information in an alternative format.

How can you get in touch with us?

If you wish to obtain any records held by the Council relating to you, or if you have any general data protection queries, please contact the Council's Data Protection Service at:

Data Protection Officer, South Ayrshire Council

County Buildings, Wellington Square, AYR, KA7 1DR

Email: DataProtection@south-ayrshire.gov.uk

Telephone: 01292 612 223

Are you dissatisfied with the way your Personal Information has been handled?

If you are unhappy with the way we have dealt with your personal information, you can complain to the Council's Data Protection Officer using the contact details noted above.

If you remain dissatisfied after contacting us, you have the right to complain to the Information Commissioner (<https://ico.org.uk/for-the-public/>):

The Information Commissioner's Office – Scotland

Queen Elizabeth House

Sibbald Walk

Edinburgh

EH8 8FT

Email: Scotland@ico.org.uk Telephone: 0303 123 1115