

## CLIENT, SUPPLIER AND CONTRACTOR PRIVACY NOTICE

Your privacy and the protection of your personal information are very important to us and we are committed to compliance with data protection legislation. This privacy notice explains what we do with your personal information, how we protect it and what your rights are.

### Who are we?

We are Tayside Contracts, a commercially based local authority trading organisation providing key front-line services throughout the Tayside area of Scotland. Tayside Contracts' registered office is at 1 Soutar Street, Dundee, DD3 8SS. We are a 'data controller' under Data Protection Legislation and our ICO registration number is Z7308719.

If you have any questions about our use of your personal information, or wish to exercise your rights which are detailed below, please contact our Data Protection Lead, Novella Tringham, Tayside Contracts, 1 Soutar Street, Dundee, DD3 8SS, (01382) 834114, [GDPR@tayside-contracts.co.uk](mailto:GDPR@tayside-contracts.co.uk).

### Why do we need your personal information and what information do we hold?

We need information about you to allow us to effectively manage your contract with us and for us to meet our obligations. We hold a range of information relating to you to permit us to do this. This includes, but is not limited to:

- Name
- Address
- Email Address
- Contact Telephone Numbers
- Bank Details
- Order details
- Driving Licence details
- Payments/deductions made
- Tax Status information (where appropriate)
- National Insurance Details (where appropriate).

### How do we collect this information?

Most of the information we process about you will be provided by you.

### Why do we process your personal information (the legal basis)?

We process your personal information to allow us to enter into and fulfil the contract we have with you, or to allow us to meet our legal obligations, or in our legitimate interests to run the business.

This may include:

- Arranging payment to you for the goods/services provided
- Deciding on continued engagement

- Deducting tax and National Insurance (where appropriate)
- Managing the business, accounting and audit purposes
- Carrying out driving licence checks
- Performance management and reporting
- Handling legal disputes and claims
- Fraud prevention, security, prevention and detection of crime and health and safety
- Providing and monitoring network and ICT systems
- Managing the termination of our working relationship.

We do not collect more information than we need to fulfil these purposes and will not keep it longer than necessary. When we collect personal data directly from you, we will inform you if provision of that data is a statutory or contractual requirement and of the possible consequences of failure to provide the data.

### **Profiling and automated decision making**

We use cookies for those who access our website. We do not have any automated decision-making processes which would affect you – that is, decisions made by computer without human intervention.

### **Sharing your information**

We regularly need to share personal information with other organisations when fulfilling our statutory functions and obligations as an employer. Tayside Contracts employs a number of data processors who process personal data on our behalf. Under Data Protection legislation, data processors have direct duties and liability for non-compliance or acting outside of instructions provided by us. These duties will include:

- Processing data only as instructed by us
- Using appropriate technical and organisational measures to protect personal data
- Deleting or returning data to us during and after the contract comes to an end
- Securing permission to engage other processors
- Co-operating in the event of a data breach.

We have contractual instructions, data sharing agreements and compliance monitoring controls in place to ensure that these organisations are complying with data protection legislation when they are processing your personal data on our behalf. Tayside Contracts will never sell, assign, inappropriately disclose or rent your personal data to any other external organisation or individual. The organisations we share information with include:

- Audit Scotland for National Fraud Initiative
- External Auditors – currently Audit Scotland
- Internal Auditors – currently Wyllie & Bisset
- HM Revenue and Customs
- Scotland Excel
- Spikes Cavell
- DVLA
- Procurement Scotland
- Dundee City Council for payroll (where appropriate).

Where necessary we will also share information when required to by law or in the public interest, with, for example, the police or National Crime Agency, or to exercise or defend our legal rights.

Whenever personal information is shared outside the European Economic Area we will ensure appropriate safeguards are in place – such as contractual controls and (for US-based Companies) the Privacy Shield scheme. We currently transfer limited personal data outside EEA to the following countries and organisations:

- Survey Monkey (USA)
- Go Animate (USA)
- Mailchimp (USA).

We are satisfied that these organisations have appropriate safeguards in place to protect your data.

### **Where do we store and protect your information?**

We store the vast majority of your personal information on Integra, our financial system and also Fleetwave for our fleet maintenance suppliers. The Integra system is a cloud-based system which is hosted in a secure environment located at Capita's UK based data centres and all data processed is safeguarded on behalf of Tayside Contracts in accordance with data protection legislation. A copy of Capita's Privacy Notice can be found at [www.capita.com](http://www.capita.com).

Fleetwave is a Fleet Management System provided by Chevin. The hosting client servers are UK based with UKfast and all data processed is safeguarded on behalf of Tayside Contracts in accordance with data protection legislation. A copy of Fleetwave's privacy notice can be found at [www.chevinfleet.com/gb/privacy](http://www.chevinfleet.com/gb/privacy).

Access to these systems is restricted to only those within the organisation who require it to carry out their roles. Access levels are also restricted depending on the level of authority within the organisation.

In the case of Contractors where we make tax and National Insurance deductions, your personal information will be also be processed and stored via Resourcelink. Resourcelink is our Payroll processing system provided by NGA and is hosted by Dundee City Council on our behalf. We are satisfied that NGA are compliant with data protection legislation. A copy of NGA's privacy notice can be found at [www.ngahr.com](http://www.ngahr.com).

We have a number of organisational and technical measures in place to protect your data. There are protocols and procedures to followed by employees who deal with personal data including a data protection policy, IT security policy and breach management procedure. We also have a training programme in place and ensure that data protection is covered during the induction process for all employees. In addition to this we have security measures in place including encrypted devices and password protection.

### **How long do we keep your data for?**

The majority of your personal data is retained for a minimum of 6 years after the last financial transaction between us. In the case of Contractors, we are legally required to retain some of your personal data for up to 20 years.

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting or reporting requirements. We

retain anonymised statistical information to help inform our work, but you cannot be identified from that data.

The destruction of confidential waste takes place regularly. We employ a professional company, Let's Talk Shred, to carry out this exercise on our behalf. They attend Tayside Contracts premises and remove the confidential waste in secure packaging and provide a certificate of destruction was it has been destroyed. Let's Talk Shred is compliant with data protection legislation. A copy of their privacy notice can be found at [www.letstalkshred.co.uk](http://www.letstalkshred.co.uk).

## **Your rights regarding the personal data we hold about you**

Data protection legislation gives you certain rights in relation to your personal information.

You have a right to know what personal information we hold about you and to receive a copy of it, subject to some exemptions, by making a 'subject access request'. We try to be as open as we can be in terms of giving people access to their personal information.

To find out more, please read our [Subject Access Request Procedure](#) which provides more information about this process and includes a form for you to complete and send to us, if you would like to make a subject access request.

You have the right to request the correction of incomplete or inaccurate data we hold about you.

You have the right to object to Tayside Contracts using your information where we are relying on a legitimate interest (or those of a third party) and we would have to stop unless we have a sound overriding reason to continue.

## **Erasure, restriction and portability**

In specific circumstances, you have the right to have your personal data deleted, to put limits on what Tayside Contracts may do with it or to receive a copy in machine-readable form to take to another organisation.

There are also specific legal rights relating to automated decision making but Tayside Contracts does not have any such processes in place.

You can exercise any of these rights by using the contact information at the top of this document.

For more information on your rights under data protection legislation see <https://ico.org.uk/for-the-public/>.

## **Complaints or queries about how we process your personal information**

If you have any complaints or queries about how we process your personal information you should contact Novella Tringham using one of the methods detailed above.

We try to meet the highest standards when collecting and using personal information. For this reason, we take any complaints we receive about this very seriously. We encourage people to bring it to our attention if they think that our collection or use of information is unfair, misleading or inappropriate. We would also welcome any suggestions for improving our procedures.

If you are dissatisfied with our response to a complaint you send us, or have any concerns about our handling of your personal data, you can complain to the Information Commissioner's Office by using the details below:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Telephone: 0303 123 1113

Online: <https://ico.org.uk/concerns/handling/>.