**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 Council to process it. The Council must consider whether one of the grounds for exercising this right have been met and whether the Council is entitled to rely on any relevant exemption to this right.

**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 Council’s legitimate grounds override those of the individual
* When processing is unlawful and the individual opposed erasure and requests restriction instead
* The Council 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”

Fife Council must stop processing the personal data unless:

* We 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 Fife Council”

**Withdrawal of Consent**

If Fife Council are 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 these rights?**

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

The requests can be emailed to the Council’s Data Protection Officer: [**dataprotection@fife.gov.uk**](mailto:dataprotection@fife.gov.uk)**.**

Or sent to:

Data Protection Officer

2nd Floor

Fife House

North Street

Glenrothes

KY7 5LT

The Data Protection Team will acknowledge receipt of the request within 2 working days, and if necessary carry out any identification checks. A response will be issued within one month.

**Who to contact for further information?**

You can contact Fife Council on 03451 555 555 or for data protection issues by email at: [dataprotection@fife.gov.uk](mailto:dataprotection@fife.gov.uk). The Council’s Data Protection Officer, Fiona Stuart, can also be contacted at this email address.

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/>.