



From mountain to sea

# Privacy Notice: Building Standards

The Data Controller of the information being collected is Aberdeenshire Council.

The Data Protection Officer can be contacted at Town House, 34 Low Street, Banff, AB45 1AY.

Email: [dataprotection@aberdeenshire.gov.uk](mailto:dataprotection@aberdeenshire.gov.uk)

Your information is being collected to use for the following purposes:

- To process a Building Standards application.
- To manage each stage in the building standards process to ensure that work is carried out in accordance with the approved plans and specifications and complies with the minimum standards required by the building regulations.
- To process any additional permissions applied for during the project.
- To carry out enforcement action if required.
- To allow Aberdeenshire Council to collect payments from you, if and when they become due.

Your information is:

Being collected by Aberdeenshire Council either directly through paper-based applications or online via the national building standards portal maintained by Scottish Government.

The Legal Basis for collecting the information is:

Personal Data		Special categories of personal data	
Consent		The data subject has given explicit <b>consent</b> to the processing	
Performance of a Contract		Processing is necessary for the purposes of carrying out the obligations of the controller or of the data subject in the field of employment, social security social protection law	
Legal Obligations	X		
Vital Interests		Processing is necessary to protect the <b>vital interests</b> of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent	
Task carried out in the Public Interest		Processing relates to personal data which are made <b>public</b> by the data subject	



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Legitimate Interests	Processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity	
	Processing is necessary for reasons of <b>substantial public interest</b>	
	Processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of <b>health or social care</b> or treatment, or the management of health or social care systems	
	Processing is necessary for reasons of public interest in the area of <b>public health</b>	
	Processing is necessary for archiving purposes in the <b>public interest</b> , scientific or historical research purposes or statistical purposes	

*Please tick all that apply*

Where the Legal Basis for processing is either Performance of a Contract or Legal Obligation, please note the following consequences of failure to provide the information:

The information is required to process a Building Warrant application and subsequent permissions. Without the data a Building Warrant cannot be granted and any work carried out without such a warrant would not be carried out in accordance with the Building (Scotland) Regulations.

Your information will be shared with the following recipients or categories of recipient:

- Information on building standards applications and notices are published in the Building Standards register. The Building Standards register can be searched and viewed online by the public via the Council's website.
- We will share your information with any statutory consultees required to process the application, this could include Scottish Fire and Rescue/Scottish Government Building Standards Division and/or our Structural or Fire Engineer.
- We will also share copies of building warrant completions with solicitors when they are required for house sales etc.
- Financial information may be shared with HM Revenue and Customs, National Fraud Initiative, Spikes Cavell, Sheriff Officers and Debt Collection Agencies and Department of Work Pensions.

Your information will be transferred to or stored in the following countries and the following safeguards are in place:

N/A



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The retention period for the data is:

Information on the Building Standards register is retained by the Council for 25 years. Other information including correspondence, superseded plans and drawings will be destroyed up to 6 years after completion.  
Financial information will be retained for 7 years.

The following automated decision-making, including profiling, will be undertaken:

None

Please note that you have the following rights:

- to withdraw consent at any time, where the Legal Basis specified above is Consent;
  - to lodge a complaint with the Information Commissioner's Office (after raising the issue with the Data Protection Officer first);
  - to request access to your personal data;
  - to data portability, where the legal basis specified above is:
    - (i) Consent; or
    - (ii) Performance of a Contract;
  - to request rectification or erasure of your personal data, as so far as the legislation permits.
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