

# Stirling Council

## Privacy Notice

Find out how Stirling Council uses personal data by checking the Council's website at the following address:

<https://www.stirling.gov.uk/council-democracy/access-to-information/data-protection/>

Our website contains a Register of Data Processing which lists all the different ways in which the Council uses personal data.

This Privacy Notice provides more information about just one of those processes.

Title of Process	Non Involvement of Serious and Organised Crime
<p><b>Why does the Council process personal data?</b></p>	<p>Stirling Council is obliged as a public body to exclude tenders from individuals and organisations who have convictions, or have been involved in criminality.</p> <p>The Strategic Commissioning team will pass bidder and contract information to Police Scotland. The contract information includes the agreed cost of services, duration of service, type of service and location of service purchased.</p> <p>The contracts for at risk categories are checked with Police Scotland to ensure that contracts are not placed with organisations involved in Serious Organised Crime.</p>
<p><b>What personal data is used?</b></p>	<p>Stirling Council will share details of companies, directors, and other persons with powers of control and decision-making in the prospective contractor and sub-contractors, this includes:</p> <ul style="list-style-type: none"> <li>• Name</li> <li>• Addresses including personal and business locations</li> <li>• Date of birth</li> <li>• Details of interest or concern</li> </ul>
<p><b>What makes it lawful for the Council to process this personal data?</b></p>	<p>Processing is necessary to fulfil a legal obligation to ensure that public contracts are awarded only to those contractors who are not to be excluded as required by:</p> <ul style="list-style-type: none"> <li>• The Public Contracts (Scotland) Regulations 2015 (s.58)</li> <li>• The Procurement (Scotland) Regulation 2016 (s.8)</li> </ul>

	<p>Processing is further permitted through the legal gateway enacted through the Data Protection Act 2018 Schedule (2) Part (1) Section (2)(1)(A) for the purposes of prevention and detection of crime</p>
<p><b>Where does the Council obtain personal data from?</b></p>	<p>The personal data is requested from the bidder as part of the tender documentation pack. The bidder completes the relevant form and submits with their bid before the tender deadline, through a secure online electronic post-box on the Public Contracts Scotland-Tender (PCST) website.</p> <p>Police Scotland may share:</p> <ul style="list-style-type: none"> <li>• Details of previous, relevant convictions as detailed within Section 58 Public Contracts (Scotland) Regulations 2015</li> <li>• Details of other relevant pertinent information as thought necessary.</li> </ul>
<p><b>Where does the Council keep personal data?</b></p>	<p>Data is kept in electronic format on the secure website (PCST), and electronically on the secure network drive restricted to Strategic Commissioning team members.</p>
<p><b>How long does the Council keep personal data?</b></p>	<p>The information will be held for the duration of the contract.</p>
<p><b>Who does the Council share personal data with?</b></p>	<p>Personal data is shared with Police Scotland.</p>
<p><b>Who do I contact about my personal data?</b></p>	<p>The Council has a Data Protection Officer to make sure it is complying with data protection laws.</p> <p>They can be contacted at:  Data Protection Officer, Stirling Council, Teith House,  Kerse Road, Stirling FK7 7QA  Email: <a href="mailto:dataprotection@stirling.gov.uk">dataprotection@stirling.gov.uk</a>  Telephone: 01786 404040</p>