

Scottish Borders Council Privacy Notice – Civic Government (Scotland) Act 1982 – Licensing of Short Term Lets

What information do we need?

Scottish Borders Council will act as the 'Data Controller' for the personal data you provide to us. The Data Protection Officer, who is responsible for ensuring personal data is managed in accordance with data protection legislation, can be contacted as follows:

Address: Data Protection Officer, Information Management, Scottish Borders Council, Newtown St Boswells TD6 0SA.

Email: dataprotection@scotborders.gov.uk

Telephone: 0300 100 1800

The information we collect from you will include details such as your name, address, e-mail address, telephone number, date and place of birth and (if applicable) national insurance number, details of any previous criminal convictions and previous licence information.

Why do we need this information?

Your information is being collected to allow Scottish Borders Council to administer the process of applying for licences under the Civic Government (Scotland) Act 1982 (Licensing of Short-Term Lets) Order 2022.

We need to know the personal data requested on the application form in order to provide this service to you. If you do not provide this information then we will be unable to process your request for a licence. We will not collect any personal data from you that is not needed for this purpose.

The lawful basis for collecting your information in these circumstances is:

Compliance with legal obligation: Scottish Borders Council is required to collect your information in order to carry out the function of providing licences in relation to the Civic Government (Scotland) Act 1982 and associated regulations, which is a statutory function of a local authority.

Where we collect special category data this processing is necessary for reasons of substantial public interest for aims that are proportionate and which contain appropriate safeguarding measures.

What will we do with your information?

We will use your information to process your application for a licence. Depending on the type of licence, this will involve sharing your information as shown in the table below.

Type of licence	Who your information will be share with
Short Term Lets	Police Scotland, Building Standards, Planning and Regulatory Services, Scottish Fire and Rescue Service, Private Landlord Registration, Licensing Standards Enforcement Officers, Anti-Social Behaviour Unit, Environmental Health

Applications where valid objections or representations are made will be considered at meetings of the Civic Government Licensing Committee, which are open to the public however some business maybe held in private. We are also required to publish information in licensing registers, which will include your name, address and type of licence. No special category data is included in the register.

When you do not provide information directly to us, we may receive it from other relevant organisations including other Council services, other Local Authorities or Police Scotland.

You should also be aware that your data will be stored on servers located within the United Kingdom. We will take all reasonable steps to ensure that your data is kept secure and more information on how we do this can be provided by contacting the Data Protection Officer.

How long will we keep your information?

We will keep your information for the length of time specified within our document retention schedules, and after this period it will be destroyed under secure arrangements. More information on our retention policy and procedure can be obtained from the Data Protection Officer if required.

Automated Decision Making

No automated decision making will take place.

Your Rights

You have the right to request access to any personal data held about you by the Council. You can also request that we restrict the use of your information or even object to any further processing. You can do this by contacting the Data Protection Officer using the contact details provided above. We will respond to your request within thirty calendar days.

For more information on your rights please visit our website <http://www.scotborders.gov.uk/DPYourRights> or if you would like a hard copy of this information, please contact us using the contact details provided above.

If you are unhappy with the way the Council has processed your personal data please contact the Council's Data Protection Officer. If after raising your concerns with the Data Protection Officer you remain dissatisfied you have the right to complain to the Information Commissioner's Office.

Information Commissioner's Office

The ICO is the UK's independent body set up to uphold information rights.

Information Commissioner's Office
Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
Telephone: 0303 123 1113
Email: casework@ico.org.uk

The Information Commissioner's Office – Scotland
45 Melville Street, Edinburgh, EH3 7HL
Telephone: 0303 123 1115
Email: Scotland@ico.org.uk