

## Your information: Penalty Charge Notices

Scottish Borders Council is a local authority established under the Local Government etc. (Scotland) Act 1994. Our head office is located at Newtown St Boswells, Melrose TD6 0SA. You can contact us on 0300 100 1800 or [CustomerAdvice@scotborders.gov.uk](mailto:CustomerAdvice@scotborders.gov.uk)

### Data Protection Officer

The Council's Data Protection Officer can be contacted using the contact details for the Council as set out above or by email at [dataprotection@scotborders.gov.uk](mailto:dataprotection@scotborders.gov.uk)

### How we will use your information

We will use your information for the purpose of enforcing a Penalty Charge Notice. The Council is collecting and using this information in accordance with its statutory duty under the Road Traffic Regulation Act 1984, Road Traffic Offenders Act 1988 and the Criminal Procedures (Scotland) Act 1995. This information will be retained by the Council for a period of 5 years.

### The information we collect about you:

Scottish Borders Council collects your vehicle registration number for the purpose of enforcing a Penalty Charge Notice (PCN). When you give us your personal information it is to allow us to process enquiries, payment or appeals in relation to Penalty Charge Notices. If you do not comply with the PCN affixed to your vehicle, within 21 days, the Council will use the vehicle registration to request the name and address of the registered keeper from the DVLA. We will then store and use this information to enforce the Penalty Charge Notice. This is done on a secure cloud based system hosted by Imperial, our parking management system supplier.

### Who we may share your information with

Your information will be accessed by Council staff who need to use it in order to provide the service described above and will be shared with Imperial who process your information on the Council's behalf. The Council is also legally obliged to share certain data with the Driver and Vehicle Agency (DVLA) and will do so where the law requires this.

In the event of non-payment the Council will share the information about you and your vehicle with the Crown Office & Procurator Fiscal Service in order to enforce payment if you do not comply with the Penalty Charge Notice. A tracing agency may also be used.

Your information may also be analysed internally in order to provide management information, inform service delivery reform and similar purposes to meet our duty to achieve best value and continuous service improvement.

The Council is legally obliged to safeguard public funds so details will be checked internally for fraud prevention and verification purposes and may be shared with the Police or other public bodies for the same purpose.

## **Decision-Making**

The Council does not use profiling or automated decision-making processes. Some processes are semi-automated (such as anti-fraud data matching) but a human decision maker will always be involved before any decision is reached in relation to you

## **Third Party Information**

If you have provided anyone else's details to us, please make sure that you have told them that you have given their information to Scottish Borders Council. We will only use this information as part of the assessment of your need for services and to contact them in connection with delivery of any such services. If they want any more information on how we will use their information they can visit our web site at <http://www.scotborders.gov.uk/privacystatement> or by email [dataprotection@scotborders.gov.uk](mailto:dataprotection@scotborders.gov.uk)

## **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 by using the contact details or by email to [dataprotection@scotborders.gov.uk](mailto:dataprotection@scotborders.gov.uk). 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.

## **How to raise a complaint**

We aim to directly resolve all complaints about how we handle personal information. If your complaint is about how we have handled your personal information, you can contact the Council's Data Protection Officer by email at [dataprotection@scotborders.gov.uk](mailto:dataprotection@scotborders.gov.uk) or by telephone on 0300 100 1800.

However, you also have the right to lodge a complaint about data protection matters with the Information Commissioner's Office (ICO), who can be contacted by post at: Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

You can contact the ICO by phone on 0303 123 1113 or visit their website for more information at <https://ico.org.uk/concerns>

If your complaint is not about a data protection matter you can find details on how to make a complaint on our website at <http://www.scotborders.gov.uk/complaints>