

Sundry Debtors - Privacy Statement

Data Controller

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.

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

How we will use your information

Scottish Borders Council will collect personal data about you when issuing Sundry Debt invoices to you for goods or services provided to you by the Council for which there is a charge such as:

- Rent of industrial and commercial land and property.
- Trade and special waste collection.
- Other environmental services.
- Weights and Measures.
- Provision of Educational booklets and training.
- Residential Care charges.
- Building Inspection fees.
- Hire of leisure facilities.
- Allotment rents.
- Drainage works.
- Educational training and information.
- Hire of Council rooms.

The information collated includes:

- Details about you such as your name and address, telephone number and email address.
- Where relevant, details relating to power of attorney.
- Financial details such as bank account number if you pay by Direct Debit.
- Details of the service you have been provided with i.e.:- dates of service, location of service.
- Other financial details if you are in arrears and have made a special arrangement to pay.

The lawful basis for processing your personal data is that it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Council under Article 6(1)(e) of the UK General Data Protection Regulation.

In some circumstances, processing may also be necessary for the performance of a contract under Article 6(1)(b).

Most personal data is collected directly from you (or from the associated Council service) which is used to raise an invoice and recover arrears if it is necessary to do so. In some cases, we may check some of the information with other sources, such as a credit reference agency to ensure this data is accurate and / or suitable to provide financial guarantee. See below for more information on credit reference checks specifically. Where we engage the services of a third party to recover arrears, the information shared is limited to what is necessary for the purpose such as date/value/invoice reference/service type/contract/rental agreement.

Unless specifically agreed with you, or provided directly by you, we will only collect personal data about you which does not include any special categories of personal information (also known as sensitive personal data).

It should be noted that specific information about how we use your personal data for the delivery of the goods or services being purchased may also be covered in service specific privacy notices which can be found on our website.

The information you have provided will usually be retained for a minimum of 6 years from the end of the financial year in which the invoiced fees were raised or 6 years following the date the debt has been fully discharged, whichever is longer. After this period it will be destroyed under secure arrangements if it is no longer required for the lawful purpose for which it was obtained.

Credit Reference and Affordability Checks

To help us assess applications, prevent fraud, and meet our legal and regulatory obligations, we may obtain information about you from credit reference agencies (CRAs).

We obtain this information via **Creditsafe**, which uses its data partner **TransUnion** to supply consumer credit and identity data.

- **Creditsafe Business Solutions Limited** is authorised and regulated by the Financial Conduct Authority
FCA Firm Reference Number: **742313**
- **TransUnion International UK Limited** is authorised and regulated by the Financial Conduct Authority
FCA Firm Reference Number: **737740**

The information we receive may include data relating to your identity, credit commitments, payment history, and public record information. This data is used solely for legitimate business purposes, including creditworthiness assessment, identity verification, and fraud prevention, in accordance with applicable data protection laws.

Further information about how Creditsafe and TransUnion process your personal data can be found in their respective privacy notices:

- **Creditsafe Privacy / Transparency Notice:**
[Transparency Notice / Customers & Suppliers](#)
- **TransUnion Bureau Privacy Notice:**
<https://www.transunion.co.uk/legal/privacy-centre/pc-bureau>

These checks will only be undertaken where relevant to the service being provided.

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. Your information will be shared with the following third-party organisations such as:

- Sheriff Officer Firms that the Council may ask to collect the debt under contract on our behalf
- Scottish Courts & Tribunal Services to recover unpaid debt
- Payment processing providers in the administration of direct debit payments
- Or other organisations or public bodies to comply with legal obligations such as the prevention and detection of crime including fraud.

Your information may also be shared and 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.

In general the Council does not transfer personal data outside either the UK or the European Economic Area (EEA) and on the rare occasions when it does so the Council will inform you. The Council will only transfer data outside the UK and the EEA when it is satisfied that the party which will handle the data and the country it is processing it in will provide adequate safeguards for personal privacy.

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

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.

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 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:

Information Commissioner's Office,
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>
<http://www.scotborders.gov.uk/DPYourRights>