



## Privacy Notice – Law Enforcement

### Who we are

The Police Service of Scotland is a constabulary established under the Police and Fire Reform (Scotland) Act 2012. Its headquarters is located at Tulliallan Castle, Kincardine, FK10 4BE, United Kingdom, and you can contact our Data Protection Officer by post at this address, by email at: [dataprotection@scotland.pnn.police.uk](mailto:dataprotection@scotland.pnn.police.uk), and by telephone on 101.

### About this notice

This notice is to advise you of how your personal information will be dealt with (processed) by Police Scotland and your rights in relation to the processing. This notice covers information processed for any law enforcement purpose.

Law enforcement is defined as processing for the prevention, investigation, detection and prosecution of criminal offences or the execution of criminal penalties, including the safeguarding against and the prevention of threats to public security.

The Chief Constable of the Police Service of Scotland is the controller of your personal information and is the authority that decides the purposes for which your personal information will be processed. Police Scotland can be contacted by telephoning 101.

The tables below provide you with details of:

- why we process your personal information
- what our lawful basis is for having it
- the length of time we will keep your information

<b>Purpose of processing</b>	<b>Lawful Basis for Processing</b>	<b>Length of storage period (reference to <a href="#">Record Retention SOP</a>)</b>
Prevention of Criminal Offences	Data Protection Act 2018 - Part 3 Police and Fire Reform (Scotland) Act 2012	Section 6.1 – 6.5
Detection of Criminal Offences	Data Protection Act 2018 - Part 3 Police and Fire Reform (Scotland) Act 2012	Section 6.1 – 6.5
Investigation of Criminal Offences	Data Protection Act 2018 - Part 3 Police and Fire Reform (Scotland) Act 2012	Section 6.1 – 6.5
Prosecution of Criminal Offences	Data Protection Act 2018 - Part 3 Police and Fire Reform (Scotland) Act 2012	Section 6.1 – 6.5
Execution of Criminal Penalties	Data Protection Act 2018 - Part 3 Police and Fire Reform (Scotland) Act 2012	Section 6.1 – 6.5

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A list of organisations we may share information with for the purposes of law enforcement can be found in Appendix A.

### Your Rights

You have certain rights in relation to how we process your personal information. These are listed below.

#### 1. Right of access – this is called making a subject access request

This means that you are entitled to, amongst other things, a copy of the information we hold on you, although there are exceptions to this. For further information and details on how to make a subject access request please click [here](#) or visit the Police Scotland website at [www.scotland.police.uk/access-to-information/data-protection/subject-access-requests](http://www.scotland.police.uk/access-to-information/data-protection/subject-access-requests).

#### 2. Right to rectification

We must correct without delay, any personal information we hold on you which is not accurate. If you think anything is wrong, you should contact us by post or e mail. There are exceptions to when we have to correct the information, and you will be advised if we have to apply them. If it is not possible to establish the accuracy of the personal information, we will restrict how we process it, for example restrict who can see your information, or who we disclose it to.

#### 3. Right to erasure or restriction of processing

You have a right to request that we delete your personal information, but this will only be done when we are not legally required to keep it. On occasion it may be more appropriate to restrict how we process it, for example restrict who can see your information, or who we disclose it to.

For more information about any of these rights, go to [www.scotland.police.uk/access-to-information/data-protection/your-rights](http://www.scotland.police.uk/access-to-information/data-protection/your-rights) or email [information.assurance@scotland.pnn.police.uk](mailto:information.assurance@scotland.pnn.police.uk).

If we refuse to carry out your requests in full under paragraphs 1, 2 or 3 above, you have the right to ask the Information Commissioner to check whether our decision is correct.

If you are unhappy in any way with how we have dealt with your information, you have the right to complain to the Information Commissioner.

The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Tel: 0303 123 1113 (local rate)

[www.ico.org.uk](http://www.ico.org.uk)

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## Appendix A

Where necessary or required for the purposes of law enforcement, we will share information with:

- Crown Office and Procurator Fiscal Service (COPFS)
- Other police forces in the UK including non-Home Office Forces
- Scottish Criminal Cases Review Commission
- ACRO Criminal Records Office
- Police forces outwith the UK
- Courts
- Prisons
- Local and central government departments
- Security companies
- Licensing authorities
- Press and the media
- Police Investigations and Review Commissioner
- Other law enforcement and prosecuting authorities
- Legal representatives
- Defence solicitors
- Disclosure Scotland and the Disclosure and Barring Service
- Partner agencies involved in crime and disorder strategies, and public protection
- Private sector organisations working with police in anti-crime strategies
- Voluntary sector organisations
- Emergency services
- Professional advisers
- Financial organisations
- International agencies concerned with the safeguarding of international and domestic national security anywhere in the world
- Third parties involved in investigations relating to the safeguarding of national security.

In certain circumstances, we will share information, which was initially for a law enforcement purpose with selected third parties for non-law enforcement purposes:

- Insurance companies (for example, where information was initially gathered at the scene of road traffic collision and is subsequently shared to allow the company to identify other drivers for the purposes of an insurance claim).
- Criminal Injuries Compensation Authority.
- Schools and other educational establishments.
- Other regulatory bodies, such as the General Medical Council (GMC).

In addition, details of criminal investigations and offences recorded on our law enforcement systems will be used for statistical analysis, including in the formation of policing plans and partnership agreements, evaluation of our performance, and submission of statutory returns to the Scottish Government.

The above list is not exhaustive and could vary on a case-by-case basis. More information on non-law enforcement processing of information can be found in our other Privacy Notices [www.scotland.police.uk/access-to-information/data-protection/privacy-notices](http://www.scotland.police.uk/access-to-information/data-protection/privacy-notices).