

National Entitlement Card Scheme - Privacy Notice for Cardholders and Applicants May 2018

The following is a summary of how your personal data is used when you apply for a National Entitlement Card (NEC). Further details can be found at www.entitlementcard.org.uk.

You provide personal data when you apply for your National Entitlement Card. Your personal data and your privacy is protected by the European law known as the General Data Protection Regulation or GDPR. You are also protected by the United Kingdom's Data Protection Act. These laws say that you must be told about how your data will be processed and what rights you have in connection with this.

Someone who makes decisions about why and how data is processed is called a Data Controller. Scottish Councils are joint Data Controllers for the NEC Scheme because they work together. The Data Controller for your data will normally be your local Council. A list of Scottish Councils and their websites can be found at www.mygov.scot/find-your-local-council.

Your Council has a Data Protection Officer. Part of their job is to help your Council obey the law on how your data should be handled. The Data Protection Officer's contact details can be found on your local Council's website.

Your name, address, date of birth, gender, photograph and contact details will be processed so you can be given an NEC. The type of proofs you used may also be processed.

If you are applying for a travel concession, you will need to show that you are eligible. For example, this may include providing data about a disability.

Young people may apply for their card via their school; if this is the case, your council may process school details as a delivery address for the first card.

Scottish Councils will process personal data relating to the NEC. They do this on the basis that is necessary to perform a task carried out in the public interest and in the exercise of official authority vested in the Scottish Councils.

If you are applying for concessionary travel because you are disabled, limited detail about your health must be processed. Data like this is called "sensitive personal data", or a "special category" of personal data. This data is processed on the basis that the law requires disabled people to be assisted because of their health.

The Scottish Councils also share some of your data with Transport Scotland. This allows your NEC to be used on Scottish public transport. Transport Scotland will be the data controller in respect of any personal data we share with them. Transport Scotland will process your personal data in accordance with its Privacy Policy www.transport.gov.scot/privacy-policy.

The Scottish Councils ask bodies other than Transport Scotland to handle your data on their behalf. These bodies are only allowed to use your data as instructed by the Councils.

The Scottish Councils instruct Dundee City Council to appoint a supplier to handle the data required to produce the cards and to send them out. This supplier is managed by a contract with Dundee City Council.

All Scottish Councils are members of the Improvement Service. This company processes data from your card application on behalf of the Scottish Councils to keep your data up-to-date. The company will also use the data on behalf of the Scottish public sector to make it easier for you to prove who you are when wish to, for example if you wish to apply for a myaccount signin.mygovscot.org.

Your Council will use your data to provide your NEC. The NEC is a smartcard carrying your name and usually your photograph. You may use your NEC to access various Scottish public services. Your Council will keep your data to help them look after your NEC. They will use it to issue any replacement for as long as you want an NEC.

Your Council will use your data to keep their records up-to-date. The law requires that personal data is accurate.

Your Council will use the data you supply to allow you to prove who you are to others.

The NEC is part of the *saltirecard* smartcard family. This means that some Scottish transport operators will let you use your NEC to store electronic tickets that you have bought. To allow this, the numbers on each card issued are shared with Transport Scotland. You can choose to give the operator other personal information yourself. Further details about the *saltirecard* can be found at www.transport.gov.scot.

If you have asked for a Young Scot NEC, you will be able to use your NEC as a proof of age. It will have your date of birth printed on it. It will also have a hologram showing that it is accepted as part of the National Proof of Age Standards Scheme or PASS. Your personal details are not processed by Young Scot or by PASS.

If you are required to provide proofs when you apply for a Young Scot NEC, your Council will retain a secure note of the proofs provided. This is a requirement of PASS who conduct an audit to confirm that proofs have been checked.

If you have asked for a Young Scot NEC, and you are under 19 or a full-time volunteer, you will at some stage be eligible for some form of national concessionary travel.

If you are entitled to some form of national concessionary travel, your card will show what type of concession you have. The type of concession, card numbers and your date of birth and postcode are shared with Transport Scotland to allow them to administer national travel concessions and plan future services. Your Council does not have access to details about journeys you take using national concessionary travel. Further details about national concessionary travel can be found at www.transport.gov.scot/concessionary-travel. If there is reason to suspect that your card is being misused, your name and address may also be shared with Transport Scotland.

You may also be entitled to local concessionary travel. If you are, this will be shown on your card. Your Council may need to use your personal data to manage this benefit.

If you are entitled to concessionary travel because of a disability, you will need to provide some information about your health. This is used only for the purpose of managing your travel concession. If you are allowed to have a companion to travel with you for health reasons, this will be shown on the card. If you are visually impaired, this will also be shown on the card. This helps transport operators assist you and gives access to other travel concessions.

Scottish Councils and Transport Scotland may be required to disclose your personal data to police or other authorities in connection with their duties. This will only be done if a request complies with the laws intended to protect your privacy.

Your personal data is only processed in countries belonging to the European Economic Area. All these countries have privacy laws that meet similar standards to the UK.

Your personal data will only be processed in connection with your NEC. Your data will be removed if you no longer want to have an NEC. Your data will also be removed if your Council believes you no longer qualify for the NEC. For example you may no longer have an address in Scotland.

When you share your personal data, you become a Data Subject. As a Data Subject, you have a number of rights:

- You have the right to access the data that is held about you.
- You have the right to have data about you corrected if it is wrong.
- You have the right to have data about you erased or removed. If your data is erased, you will no longer be able to use your NEC.

- You have the right to ask for processing of your data to be restricted. For example, you can do this if you believe the data about you is not correct. If processing is restricted, you may not be able to use your NEC.
- You have a right to object to the processing of your personal data. If you exercise this right, your Council will confirm whether you still want your NEC before they stop processing your data.

Each of these rights can be exercised by contacting your local Council.

If you think that the processing of your personal data breaks the law, you have the right to complain to a supervisory authority. The United Kingdom's supervisory authority is the Information Commissioner, whose website is www.ico.org.uk.