

Publication of Monetary Penalties

Privacy Notice

Who we are

The Scottish Environment Protection Agency (“SEPA”, “we”, “us” or “our”) was established by the Environment Act 1995 and has its principal place of business at Strathallan House, Castle Business Park, Stirling, FK9 4TZ.

Why we use your personal information

For more information on how SEPA handles personal information, please see also our [General Privacy Policy](#)

This privacy notice explains how we collect and use your personal information when we publish information about you in accordance with our *Policy for Communicating Penalties and Undertakings*.

We must have a lawful basis for processing your information. In this case, processing is carried out under the Data Protection Act 2018, Part 3, Section 35(2)(b) – **Law Enforcement purposes**.

[The Environmental Regulation \(Enforcement Measures\) \(Scotland\) Order 2015](#) gives SEPA a range of enforcement measures.

- Fixed Monetary Penalties (FMP)
- Variable Monetary Penalties (VMP)
- VMP Undertakings
- Enforcement Undertakings

The legislation imposes obligations on us to publish the number and type of cases in which these measures are imposed or accepted. In addition, we have been given discretion by the Order to publish more detailed information relating to penalties.

How we use your personal information

We will use your information to publish details of offences where a monetary penalty has been imposed, or where a VMP Undertaking has been accepted. The information we publish will include:

- Name and partial address of individuals on whom an FMP, VMP or VMP Undertaking is imposed
- Details of the offence/breach
- Final Notice (redacted to show name and partial address only). This will contain:
 - The basis for SEPA being satisfied that an offence has committed by the individual
 - Details of how we have calculated the penalty
 - Compliance history

We will also publish details of Enforcement Undertakings accepted by us but the information we publish will not include the names or addresses of individuals.

We will publish this information on our [website](#). We may also publicise our successful outcomes via appropriate media and communications platforms, which may include SEPA Facebook, SEPA Twitter, LinkedIn, and other media publications.

How we collect your personal information

We will collect your personal information through the course of our investigations relating to environmental offences.

How long we keep it

In accordance with our Policy, details of penalties which we publish will remain publicly available on our website for a period of 6 years, after which time information will be removed and all that will remain published is the number and type of cases for each year.

Your rights regarding your personal information held by SEPA

Right	What it means
Information	You have the right to clear information about how we collect and use your personal information – this privacy notice is one example of how we do this
Access	To request a copy of your information, please complete the Data Subject Access Request Form or contact dataprotection@sepa.org.uk .
Correction	You have the right to ask for any personal information that is inaccurate or incomplete to be corrected
In certain circumstances, you will have the following extra rights:	
Erase	You have the right to ask for your personal data to be deleted under certain circumstances
Objection to processing	You have the right to object to our use of your personal information under certain circumstances
Restriction on processing	If you make an objection, our use of your personal information may be temporarily suspended whilst we deal with your request
Portability	You have the right to ask for a copy of your personal information in a machine-readable format to pass to another organisation under certain circumstances

We have a Data Protection Officer who makes sure we respect your rights and follow the law. If you have any concerns or questions about how we look after your personal information, please contact SEPA's Data Protection Officer, Alison M. Mackinnon at DataProtection@sepa.org.uk.

Changes to our privacy statement

We keep this privacy notice under regular review and will place any updates on the SEPA website. Paper copies of the privacy notice may also be obtained by contacting DataProtection@sepa.org.uk.

Complaints

We seek to resolve directly all complaints about how we handle personal information but you also have the right to lodge a complaint with the Information Commissioner's Office. They can be contacted at <https://ico.org.uk/make-a-complaint/> or 0303 123 1113

This privacy notice was last updated on 27 January 2022