



## **Data Subject Rights**

ScotRail is a data controller and process personal data relating to you, as a data subject. Data subjects have a number of rights under the Data Protection Act (2018) (the DPA) and the UK GDPR.

### **Data Subject Access Rights (DSAR)**

Article 15 of the UK GDPR relates to your right to access your personal data processed by ScotRail. The purpose of the right of access is to allow people to confirm what information we are processing, confirm its accuracy and check the lawfulness of processing to allow them to exercise rights of correction or objection if necessary. ScotRail can provide you with a copy of the personal information processed by us, in a commonly used electronic format or a format agreed with you. ScotRail must respond to all requests for personal information within one month.

The right to access personal information is subject to various exemptions under data protection law so ScotRail may not be obliged or able to provide you with access to all of your personal information. We can also only provide you with access to your own personal information and may have to withhold some information if it relates to other people.

You can find more information on DSARs on the Information Commissioner's Office (ICO) website: [Your right of access | ICO](#).

### **Making a Data Subject Access Request to ScotRail**

The most effective way to make a request is by completing our DSAR form online. This ensures we have the relevant information to progress your request quickly. You can also send an email directly to [data.protection.officer@scotrail.co.uk](mailto:data.protection.officer@scotrail.co.uk) providing relevant information about the information you would like to access. You may also make a request by mail (Information Requests, ScotRail, Atrium Court, 50 Waterloo Street, Glasgow, G2 6HQ) or verbally. Currently access to our offices is limited, and we would prefer requests to be made by email wherever possible to ensure a speedy resolution of your request.

When we receive your request we may require to confirm your identity or authority to act on someone else's behalf. We will contact you to clarify your request if necessary. We will gather the relevant information and respond to you as soon as possible, and within one month. If we need to extend this timescale for any reason, we will let you know as soon as possible. We will not charge a fee to provide you with your information, unless we consider your request to be 'manifestly unfounded or excessive'. See the ICO website for more information on this topic.

If we believe that your DSAR is not valid or have grounds for refusing to act on your request we will notify you without undue delay and within one month, giving reasons where we are able to do so and advising you of your rights to lodge a complaint with the ICO and to seek a judicial remedy.

### **Right to Erasure**

This is also known as the right to be forgotten. You have the right to request that your personal data be removed from ScotRail systems if certain requirements are met (Article 17 of the UK GDPR).

When we contact you by email for marketing or account management purposes we provide an 'unsubscribe' option which you can use at any time. To make a request for your ScotRail account to be closed or to request that your personal data held by us is deleted, please email [data.protection.officer@scotrail.co.uk](mailto:data.protection.officer@scotrail.co.uk) with your name, email address and Smartcard or account

number (if applicable). We will respond to your request within one month and confirm the deletion of your personal data and inform you if any data requires to be retained for legal reasons.

### **Other Data Subject Rights**

More information on your rights as a data subject can be found on the ICO website: [Your data matters | ICO](#).

### **Submitting and lodging a complaint**

If you are dissatisfied with ScotRail's actions or wish to make a complaint, you should contact:

Email: [data.protection.officer@scotrail.co.uk](mailto:data.protection.officer@scotrail.co.uk)

Post: Data Protection Officer, ScotRail, Atrium Court, 50 Waterloo St, Glasgow, G2 6HQ

### **Supervisory Authority**

If you remain dissatisfied with our actions, you have the right to lodge a complaint with the Data Protection Regulator, the ICO, whose contact details are:

**Online:** <https://ico.org.uk/global/contact-us/email/>

**By phone:** 0303 123 1113

**By post:**

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