Privacy Notice

This privacy notice explains what will happen to the personal data which may be included in, or is provided with, your response to a MSP’s consultation on a proposal for a Member’s Bill. This data will include your name, your contact details and any other personal data (including sensitive personal data) that is included as part of your response (e.g. in your answers to consultation questions).

Collecting and holding Personal Data:

The Scottish Parliament processes any personal data you send us according to the requirements of the Data Protection Act 1998. Personal data consists of data from which a living individual may be identified. Any personal data will be held securely, will be used only for the purpose(s) it was collected for and it will not be passed to any third parties without your consent. Further information about the Data Protection Act 1998 and your rights under the Act is available here:

https://ico.org.uk/for-the-public/is-my-information-being-handled-correctly/

The Scottish Parliament is licenced to use Smart Survey which is a third party online survey system enabling the Scottish Parliament to collect responses to MSP consultations, to extract and collate data from those responses, and to generate statistical information about those responses. Smart Survey is based in the UK and is subject to the requirements of the Data Protection Act 1998.

Any information you send by email or in hard copy in response to a consultation on a proposal for a Member’s Bill (including personal data and sensitive personal data) may be added manually to Smart Survey by the Non-Government Bills Unit (NGBU), a team in the Scottish Parliament which supports MSPs progressing Members’ Bills.

The privacy policy for Smart Survey is available here:

https://www.smartsurvey.co.uk/privacy-policy

While the collected data is held on Smart Survey, access to it is password protected. Once the data is transferred to our own servers at the Scottish Parliament, access will be restricted to NGBU staff through the application of security caveats to all folders holding consultation data.

Sharing Personal Data:

The data collected and generated by Smart Survey will be held by NGBU and shared with the member who is progressing the Bill and staff in the member’s office. Data submitted by other means (e.g. by email or hard copy) will be held by the MSP’s office and shared with NGBU for the purpose of producing a summary of responses to the consultation. The member and NGBU are joint data controllers of the data. Under a data-sharing agreement between the member and the Scottish Parliament, access to the data will be limited to NGBU staff working on the Member’s
Bill/proposal, the member and staff in the member’s office working on the Member’s Bill/proposal.

As soon as possible after the consultation period has ended, all of your data (i.e. your response to the consultation and the personal data provided with it) will be deleted from Smart Survey and retained by NGBU until the Bill has been passed or withdrawn or until the end of the parliamentary session following the session in which the proposal was lodged, whichever is sooner. During this period, access to the retained data will be limited to NGBU (although some of it may also have been published – see below). At the end of this period, the data will be destroyed (although some it may remain published – see below).

**Publishing Personal Data:**

Confidential responses will not be published and will only be referred to in the summary of consultation responses in the context of a reference to the number of confidential responses received and, in some cases, in the context of a general reference that is considered by you to be consistent with the reasons for seeking confidentiality. Anonymous responses will be published without your name attached, your name will not be mentioned in the summary of consultation responses, and any quote from or reference to any of your answers or comments will not be attributed to you by name.

Otherwise (i.e. for all non-confidential and non-anonymous responses), your name may be published online in connection with your individual response and may also be published in the summary of consultation responses. All other contact details (e.g. your e-mail address) provided with (but not as part of) your response will be used only by either Siobhan McMahon’s office or by NGBU to contact you about your response and to provide you with further information about progress with the proposed Bill, and will not be published.

Where personal data (whether relating to you or to anyone else) is included as part of your response (e.g. in your answers to consultation questions), Siobhan McMahon’s office or NGBU may edit or remove it, or invite you to do so; but in certain circumstances the response may be published with the personal data still included.