

Privacy Notice – Committee Office – Children and young people aged under 16 speaking at a Committee meeting

This notice contains information for the parents/guardians of children and young people under the age of 16 who have been invited to take part in a public meeting of a committee at the Scottish Parliament. It explains how we will handle any personal data that we collect in relation to your child's attendance.

Purposes of the processing

The Scottish Parliament Corporate Body (SPCB) has a duty to record and archive all formal proceedings of the Parliament. Scottish Parliament Committees invite people to appear before them to answer questions and share their views and experiences. These appearances are filmed and the videos are publicly available on the Scottish Parliament website. A transcript of the meeting will be produced called the Official Report and this, alongside the video, form part of the national record and will be transferred to the National Records of Scotland for permanent archiving.

Photographs of the session may also be taken and committee witnesses, or people whose experiences are shared in the form of a case study, may also receive requests to participate in media/broadcast interviews. Further information on the photography and recording which may take place in the building is available in a separate privacy notice.

Collecting & holding personal data

The Scottish Parliamentary Corporate Body (the SPCB) processes any personal data it holds under the requirements of the General Data Protection Regulation (EU) 2016/679 (the GDPR), the Data Protection Act 1998 (the DPA) and any Acts that replace the Data Protection Act 1998. Personal data consists of data from which a living individual may be identified. The SPCB will hold any personal data securely, will use it only for the purposes it was collected for and will only pass it to any third parties with your consent or according to a legal obligation. Further information about the data protection legislation and your rights is available here:

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

The Code of Conduct places obligations on Members of Parliament in terms of how they handle material containing personal data in the course of their Committee work, for example rules around confidentiality. The Code of Conduct can be found [here](#). The relevant section is Section 7.

Categories of information

If your child appears before a Committee the SPCB will need contact information for an accompanying responsible adult to manage the organisational arrangements. This will usually take the form of a name, email address and contact telephone number. Occasionally this may include a mailing address if we receive information by hard copy. This is considered "standard" personal data.

We will also ask for your name and relationship to the child on the consent form that you will be sent and for your child's name and age but not for direct contact details.

Committees are particularly aware of the need to be careful about the types of subject matter and questions that are put to children and young people and will not normally ask children to discuss sensitive information at a public meeting. It is nevertheless possible that the views and experiences your child shares may be considered “sensitive” or “special category” personal data. For example, this could include details about race or ethnic origin, political or religious views, sex life or sexual orientation, trade union membership, physical or mental health, genetic or biometric data or any criminal offences.

If you let us know about any accessibility requirements to help your child attend the meeting this will also be considered sensitive or special category personal data as it is related to an individual’s health.

The legal basis for processing

Data protection law states that we must have a legal basis for handling your child’s personal data. The legal basis for collecting, holding, sharing and publishing your personal data for the purpose of recording, publishing and archiving formal parliamentary proceedings is that the processing is necessary for the performance of a task carried out in the public interest or substantial public interest, in accordance with Art 6(1)(e), section 8(d) Data Protection Bill and GDPR, Art 9(2)(g) GDPR, para 6 of Schedule 1 to the Data Protection Bill.) The task is to facilitate evidence gathering for a parliamentary Committee which is part of the core function of the SPCB and therefore a Crown function in accordance with section 8(d) DPB. This includes video broadcast, written transcripts and photography of Committee proceedings.

For the transfer of data to the National Records of Scotland, the legal basis is that it is necessary for archiving purposes in the public interest (Art 6(1)(e) GDPR, section 8(d) Art DPB or Art 9(2)(j) GDPR, section 10(1)(e) DPB).

Data sharing and retention of personal data

Your child’s name will normally appear on the agenda for the Committee meeting which is available online as part of the Committee papers. Personal contact details for accompanying adults will be stored securely on our Committee Administration System (CAS).

As it is expected that these contact details will only be relevant to a specific inquiry they will be deleted at the conclusion of that piece of work. All witness contact information held within the CAS system will be reviewed annually and may be shared internally with other business areas within the Parliament.

The consent form that you will be asked to sign will be kept for two years from the date of the committee meeting in order to demonstrate that we have obtained the consent of a parent to the attendance at and participation in a Committee meeting, and for any additional processing (such as photos or videos taken before or after the Committee meeting).

Photos and video

Video, photos and transcripts of public Committee meetings will be retained in electronic format on the website. They will also be transferred to the National Records of Scotland and will be publically available on an ongoing basis. Photos will

also be stored in our photo storage system Third Light Ltd. For more information on Third Light's privacy policy, go to:

<https://www.thirdlight.com/terms-and-conditions>

Photos taken at Committee meetings may also be used by the media alongside any articles which are written about Committee proceedings. Photos of the Committee meeting may also be used on the Committee's webpage and social media accounts.

The legal basis for this activity is that it is necessary for the purpose of a legitimate interest of the SPCB in accordance with Art 6(1)(f) GDPR. The legitimate interest is the aim of the Committee to engage with and inform the wider public, such as through news promotion.

Video, photo and transcript records are passed to the National Records of Scotland for archiving purposes. The NRS archives are publically searchable on an ongoing basis.

Personal data is also used to prepare a Witness List for each business day. The Witness List is in electronic form and is used at the Visitor Information Desk to register the arrival of committee witnesses and advisers. Witness Lists are prepared on the morning of each business day for that day and deleted at the end of day. Personal data on Witness Lists may be shared internally with other departments within the SPCB. It will only be passed to any third parties according to a legal obligation.

Possible media interest

It is possible that the SPCB media relations office will be contacted by a journalist with a request to invite your child to take part in a media interview or photo opportunity or be part of a case study. If this happens the request will be discussed with the accompanying responsible adult who will be able to decide whether or not it would be appropriate for the child to participate.

If the responsible adult decides that their child can take part in a media interview or be part of a case study, contact with the journalist can be facilitated by a SPCB media relations officer. Once the interview/broadcast has been completed and the Committee's work concluded, contact details for the responsible adult will be securely deleted from the Parliament's servers. Contact details for an adult will only be provided to a journalist with that person's consent and direct contact details for a child or young person under 16 will never be provided to a journalist.

Any case study or media interview that your child undertakes may be publically available on the relevant media outlet indefinitely.

Your child's rights

The GDPR sets out the rights which individuals have in relation to personal information held about them by data controllers. These rights are listed below, although whether your child will be able to exercise each of these rights in a particular case may depend on the purpose for which the data controller is processing the data and the legal basis upon which the processing takes place.

Access to your information – You have the right to request a copy of the personal information about you that we hold. For further information, see our Data Subjects' Access Requests Policy.

Correcting your information – We want to make sure that your personal information is accurate, complete and up to date and you may ask us to correct any personal information about you that you believe does not meet these standards.

Deletion of your information – You have the right to ask us to delete personal information about you where:

- You consider that we no longer require the information for the purposes for which it was obtained.
- We are using that information with your consent and you have withdrawn your consent – see Withdrawing consent to using your information below.
- You have validly objected to our use of your personal information – see Objecting to how we may use your information below.
- Our use of your personal information is contrary to law or our other legal obligations.

Objecting to how we may use your information – Where we use your personal information to perform tasks carried out in the public interest then, if you ask us to, we will stop using that personal information unless there are overriding legitimate grounds to continue.

Restricting how we may use your information – in some cases, you may ask us to restrict how we use your personal information. This right might apply, for example, where we are checking the accuracy of personal information about you that we hold or assessing the validity of any objection you have made to our use of your information. The right might also apply where this is no longer a basis for using your personal information but you don't want us to delete the data. Where this right to validly exercised, we may only use the relevant personal information with your consent, for legal claims or where there are other public interest grounds to do so.

Withdrawing consent using your information – Where we use your personal information with your consent you may withdraw that consent at any time and we will stop using your personal information for the purpose(s) for which consent was given.

Please contact us in any of the ways set out in the Contact information and further advice section if you wish to exercise any of these rights.

Changes to our privacy statement

We keep this privacy statement under regular review and will place any updates on this website. Paper copies of the privacy statement may also be obtained using the contact information below.

This privacy statement was last updated on 21 June 2018.

Contact information and further advice

If you have any further questions about the way in which we process personal data, or about how to exercise your rights, please contact the Head of Information Governance at:

The Scottish Parliament
Edinburgh
EH99 1SP

Telephone: 0131 348 6913 (Calls are welcome through the Text Relay service or in British Sign Language through [contactSCOTLAND-BSL.](#))

Email: dataprotection@parliament.scot



HAPPY TO **TRANSLATE**

Please contact us if you require information in another language or format.