

SPCB Privacy Notice

This privacy statement explains how we collect and use personal information about you for the following process:

Processing Losses and Special Payments

The Categories of Information processed

Normal category data which may be processed includes: name, address, telephone number, email address and bank details for SPCB employees, MSPs, MSPs' staff, suppliers, customers and visitors to the Scottish Parliament.

Special category data relating to health may be processed where an incident has resulted in an individual suffering an injury and details of the injury are required.

Source of the information

Personal data is provided to us directly from the individual (data subject) such as via:

- Theft, Damage and Accounting Loss form*
- SPCB CCTV footage (Please refer to Privacy Notice – CCTV)

*If a supplier, customer or visitor to the Scottish Parliament is affected, then the member of staff who is responsible for them or Visitors Services (if a Visitor to the Main Hall), takes a note of the incident and contact details for the individual involved, confirms any damage incurred and then completes the form on their behalf.

The purpose(s) of the processing

During the course of our work we collect/use personal data to evaluate and investigate an incident/claim in order to determine SPCB liability, and make recompense if appropriate. Full information on the nature and circumstances of all losses and special payments must be collated and recorded.

We store names, addresses, email addresses and telephone numbers for the purpose of contacting individuals to obtain further details relating to an incident/claim, to advise the outcome of the investigation, and if applicable process the authorised special payment (please refer to Privacy Notice – Processing Payment of Invoices and Reimbursement of Fees and Expenses). We also record if any appeals are raised and the basis of that appeal.

Annually we report on the categories of loss, and, if a loss was significant then disclosure of the amount would be required in the SPCB Annual Report and Accounts, all personal details which would identify an individual would not be included in the disclosure.

The Legal basis of Processing

The legal basis for the processing of personal data or the purposes described above is that it is necessary for a task carried out in the public interest (Art 6 (1)(e) GDPR, s8(d) DPB). The task is to protect and monitor the expenditure of the SPCB's publicly funded budget, which is a core task of the SPCB, and, therefore a Crown function in accordance with section 8(d) DPB.

Consequences of not processing personal data

Not processing personal data as described above would result in the SPCB being unable to investigate the nature and circumstances of the incident/claim in order to determine if the SPCB is liable; and where applicable, this would also result in non-payment.

Data sharing

Where necessary, personal data is shared both internally within the SPCB; and externally with other government agencies and organisations. We share your data with the following:

- Business areas of the SPCB¹
- Internal Audit (and external support) and External Auditors²
- Other Government agencies and organisations³

Purpose of data sharing:

¹ Personal data is shared internally with the relevant business areas in order to ensure the appropriate losses and special payments procedure is followed for:

- Investigating the incident/claim to determine if the SPCB is liable, taking any subsequent action, and making recommendations on the treatment of the loss or special payment;
- Reviewing and authorisation of a claim;
- Providing an appeals process;
- Process payment of authorised claims.

Where relevant, access to personal data is restricted to Finance and the business areas.

² All data relating to losses and special payments can be shared (usually on a sample basis) with both internal audit (and support) and external auditors to ensure they are processed demonstrating good governance, accountability, integrity and ensure the relevant control measures are in place to reduce risk to the public purse (Art 6(1)(e) GDPR, s 8(d)(GDPR).

³ Where the loss involves theft or criminal damage, personal data is shared with the Police Scotland Unit within the Scottish Parliament to make comments and

provide an appropriate reference number for Finance to monitor action (Art 6(1)(e) GDPR, s 8(d) GDPR).

In addition, where special payments have been authorised, please refer to the Privacy Notice on Processing Payment of Invoices and Reimbursement of Fees and Expenses.

Retention of Data

Personal data is retained in electronic format, access is limited as appropriate and destroyed in line with the SPCB Records Management Retention Schedule. All Theft, Damage and Accounting Losses forms and any supporting documentation is retained for a period of 6 years plus the current financial year. Where special payments have been authorised, please refer to the Privacy Notice on Processing Payment of Invoices and Reimbursement of Fees and Expenses.

Your 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 you 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
- 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 is 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.

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 [25 May 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.