

## **SPCB National Fraud Initiative Privacy Notice (NFI)**

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

### **National Fraud Initiative Biennial Exercise**

#### **What is this notice?**

The SPCB is required by law to protect the public funds it administers and have adequate controls in place to prevent and detect fraud and error. Audit Scotland currently requires the SPCB to participate in the biennial National Fraud Initiative (NFI) data matching exercise. This notice sets out how we will use personal data which is submitted as part of this exercise.

#### **Who does this notice apply to?**

This notice applies to the following individuals:

- All employees of the SPCB, MSPs, MSP staff, Commissioners and Law Officers
- Suppliers (Creditors) including contractors, businesses which are not limited companies including sole traders, recreational groups (e.g. musicians) and individuals (including Advisory Audit Board Members, Visitors, Witnesses, Delegates and Advisors). Note, suppliers can also include including employees of the SPCB, MSPs, MSP staff, and Commissioners.

#### **Data Protection Queries relating to the NFI Exercise**

There is an appointed Data Protection Action Officer within Finance and Human Resources, who can assist with any questions relating to the NFI exercise. The contact details are as follows:

- Suppliers (Creditor) queries: [Finance.Enquiries@parliament.scot](mailto:Finance.Enquiries@parliament.scot)
- Payroll queries: [HumanResources@parliament.scot](mailto:HumanResources@parliament.scot)

For general data protection queries, please refer to the [Contact information and further advice](#) section.

## The categories of information processed

The SPCB is required to provide 3 data sets for the NFI data matching exercises:

- Trade Creditors Standing Data:

Normal category personal data is processed which includes: name, address, telephone number, bank or building society details.

- Trade Creditors Payment History (3 years):

Personal data is not contained within this data set.

- Payroll Data:

Normal category personal data is processed which includes: name, address, telephone number, email address, date of birth, National Insurance number, start date, gross pay to date, bank or building society address and account details and employment status (full time/part-time including contracted hours).

*Please note, once the above data is extracted from the SPCB's financial accounting system or the human resources/payroll system and uploaded onto the NFI web application by the required deadline, the data on the NFI web application cannot be altered as it is based on a moment in time. If any errors or updates to the data are identified through the matching exercise, the original source of the information will be updated e.g. the SPCB's financial accounting system or the human resources/payroll system.*

## Source of the information

- Trade Creditors Standing Data & Trade Creditors Payment History

All data, including personal data, is downloaded directly from the SPCB's financial accounting system. For further details on the original source of data which is provided to us directly from individuals (data subjects), please refer to the "Processing Payment of Invoices & Reimbursement of Fees and Expenses privacy notice which is available on the Scottish Parliaments' website - [SPCB's Privacy Notices](#) – under "Contractors, Suppliers and Customers".

- Payroll Data

Personal data is downloaded directly from the Human Resources/payroll system. For further details on the original source of data which is provided to us directly from individuals (data subjects), please refer to the relevant privacy notice (HR: Workers, MSP Appointment, MSP Staff Appointment, Chief Executive: Officeholder Appointment) which are available on the Scottish Parliaments' website - [SPCB's Privacy Notices](#).

## **The purpose(s) of the processing**

In Scotland, the NFI is led by Audit Scotland and overseen by the Cabinet Office for the UK as a whole. Audit Scotland currently requires the SPCB to participate in the NFI data matching exercise to assist in the prevention and detection of fraud and other crime.

The NFI is a data matching exercise which matches electronic data within and between participating bodies. The exercise runs every 2 years and uses computerised techniques to compare information about individuals held by different public bodies, and on different financial systems that might suggest the existence of fraud or error. The Cabinet Office processes the data for NFI in Scotland on behalf of Audit Scotland, and provides a secure website and NFI application for participating bodies and auditors in Scotland to use.

The data matching involves comparing sets of data (Standing Creditor Data, Creditor Payment History and Payroll), against other records held by the same or another body to see how far they match. The data is usually personal information. Computerised data matching allows possible fraudulent claims and payments to be identified. However, the inclusion of personal data within a data matching exercise does not mean that any specific individual is under suspicion. Where a match is found, it may indicate that there is an inconsistency that requires further investigation. However, no assumption can be made as to whether there is fraud, error or another explanation until an investigation is carried out.

As a participating body in the NFI data matching exercise, the SPCB receive a report of matches via the NFI web application. The SPCB need to investigate these matches, so as to detect instances of fraud, over- or under-payments and other errors, to take remedial action and update our records accordingly.

Data matching by Audit Scotland and all participants are subject to a Code of Data Matching Practice, this can be found within the NFI section of [Audit Scotland's](#) website.

For further information on Audit Scotland's legal powers and the reasons why it matches particular information, please refer to Audit Scotland's [NFI Privacy Notice](#) and also the [NFI in Scotland](#) information on their website. In addition, you can also refer to the Cabinet Office's [NFI Privacy Notice](#) and information about the [UK NFI exercise](#) on their website.

## **The legal basis of processing**

This data matching exercise is carried out under the powers in Part 2A of the Public Finance and Accountability (Scotland) Act 2000. It does not require the consent of the individuals concerned under the Data Protection Act 2018. The legal basis for the data sharing in this context is that it is necessary for compliance with a legal obligation that the SPCB is subject to (Art 6(1)(c) GDPR).

## Automated decision making

Data matching by Audit Scotland is subject to a Code of Data Matching Practice. Further information can be found on the [Audit Scotland](#) website.

## Data sharing

Personal data is shared both externally with Audit Scotland and the Cabinet Office<sup>1</sup>, and other bodies participating in the NFI data matching exercise<sup>2</sup> via the NFI web application; and where relevant internally within the SPCB<sup>3</sup>.

- <sup>1</sup> The SPCB follows the procedures provided by Audit Scotland and the Cabinet Office to ensure personal data is securely extracted from the financial and human resources/payroll systems and then uploaded onto the NFI web application. Note, the data which is extracted is password protected, and held securely on the SPCB's servers. This data and access to the NFI web application is restricted to authorised users within the Finance and Human Resources office.
- <sup>2</sup> Personal data may be shared with other participating bodies in data matching exercises. The SPCB may be in contact with other organisations to confirm or clarify any information relating to the data matches. A list of participating bodies can be found in Audit Scotland's [NFI Privacy Notice](#).
- <sup>3</sup> Personal data may be shared internally with relevant business areas in order to investigate any data matches, and where relevant, recover any duplicate payments or take any other appropriate action. Personal data is restricted to Finance, Human Resources, and the relevant business areas. Any data which is downloaded from the NFI web application is securely stored electronically, with restricted access.

## Retention of data

Data upload to NFI Application:

Once all data sets have been successfully uploaded onto the secure NFI web application, the extracted data from the SPCB's financial and human resources/payroll systems which is required for the upload are destroyed. The data stored within the NFI web application will be processed in accordance with Audit Scotland's [NFI Privacy Notice](#) and the Cabinet Office's [NFI Privacy Notice](#) and [retention schedule](#).

Investigation of Data Matches:

After the SPCB has been notified that the data matches are available in the NFI web application, reports can be downloaded from the NFI web application in order to investigate the data matches. Any personal data downloaded from the NFI web application and used for the purpose of carrying out investigations and subsequently for auditing purposes is retained securely in an electronic format, access is limited as appropriate and destroyed in line with the SPCB Records Management Retention Schedule.

## 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
- Our use of your personal information is contrary to law or our other legal obligations.

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 September 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](mailto:dataprotection@parliament.scot)



HAPPY TO **TRANSLATE**

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