

## **SPCB Privacy Notice**

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

### **Data Protection Subject Access Request Handling**

#### **The Categories of Information processed**

Normal personal data as defined by the GDPR including names and contact details, biographical information depending on the request including for example previous interaction with the SPCB.

Depending on the request, we may process special category data, as defined by the General Data Protection Regulation such as race; ethnic origin; political views; religion; trade union membership; health or sexual orientation.

#### **Source of the information**

Personal data is provided to us directly from the requesting individuals (data subjects).

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

The purpose of the processing is to respond to Data Subject Access requests in line with statutory obligations.

#### **The Legal basis of Processing**

This processing is necessary to comply with the statutory requirements (Art 6(1)(c) GDPR):

To respond to data subject access requests, which may include holding and sharing internally the request details in order to prepare a response and respond to any follow up questions from the data subject or from the Office of the UK Information Commissioner.

For special category data, the legal basis for the processing is that it is necessary for reasons of substantial public interest on the basis of Union or UK law (Art 9(2)(g) GDPR, s10(3) and para 6(1) and (2)(a)). Being able to fully give effect to data subjects' rights is in the substantial public interest.

#### **Special category data**

Special category data is securely retained only for the period of time required to reply to the data protection subject access request.

#### **Consequences of not providing personal data**

Not processing the personal data would mean that the SPCB's statutory requirement to reply to subject access requests would not be met.

## **Data sharing**

The data may be shared with offices within the parliament only for the purposes of replying to the request. The personal data may also be shared with the UK Information Commissioner's Office should the requester be dissatisfied with the decision of the SPCB and require further investigation.

## **Retention of Data**

We store the names, addresses, email addresses and telephone numbers together with other biographical information electronically for a period of four months to allow us to answer any follow up questions from the data subject or from the Office of the UK Information Commissioner. After this, the information is securely destroyed.

## **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 or in the substantial 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](mailto:dataprotection@parliament.scot)



HAPPY TO **TRANSLATE**

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