



Scottish Information Commissioner

Privacy Notice

Introduction

1. This document is split into different sections. If you see **green** text anywhere in this document and want to find out more, just click on the text.
2. **About us:** this section tells you about us and tells you who is responsible for deciding what we do with your information (your personal data) and for making sure any information we have about yourself is safe and secure. It also tells you who you can complain to if you are unhappy with what we do with your information.
3. **Your rights:** this section tells you what rights you have over your personal information.
4. **Keeping your information safe:** this section tells you what we do to make sure your personal information is safe and secure.
5. **What we do with your information:** this section describes the categories of personal information we hold, what we do with it, who the information might be disclosed to, why we do it and how long we hold on to the information for. Have a look at the list below. If you want to find out more, click on the text:
 - (i) **PROMOTING FOI**
 - **Visiting our website ...**
 - **Receiving mailings from us...**
 - **Using our enquiries service ...**
 - **Attending an event organised by us ...**
 - **Responding to one of our consultations ...**
 - **Giving feedback on our products/services or responding to a survey**
 - ...

(ii) ENFORCING FOI ENFORCING FOI

- **Appealing to us for a decision ...**
- **Contacting us about criminal offences committed under FOISA or the EIRs ...**
- **Assessing if an authority is complying with good practice ... Assessing if an authority is complying with good practice ...**

<ul style="list-style-type: none"> • What information do we hold about you? 	What do we do with your information?	Who do we share your personal information with?	Why are we allowed to do this with your personal information?	How long do we keep your personal information for?
<ul style="list-style-type: none"> • The information you gave us in relation to an appeal you made to us, including your name and contact details. • The information about you which we obtain from an authority (e.g. copies of the information request you made to the authority and its response). This might include requests you have not appealed to us. It might also include information about other individuals, such as public authority staff. 	<ul style="list-style-type: none"> • We use the information to help us assess whether an authority is complying with good practice in line with our Enforcement Policy and Intervention Procedures • The information is held electronically on our case management system and may also be held in hard copy files. 	<ul style="list-style-type: none"> • The public authority you made your information request to. 	<ul style="list-style-type: none"> • To fulfil our regulatory functions 	<ul style="list-style-type: none"> • The contents of electronic case files are destroyed 5 years after the closure of the intervention. • Paper case files are destroyed 3 months after the closure of the intervention.

(iii) EXERCISING YOUR RIGHTS

- **Making an FOI request to us...**
- **Asking us for the information we hold about you or exercising your other data protection rights...**
- **Complaining to us about the service you've received from our office ...**

(iv) **WORKING FOR – AND WITH – THE COMMISSIONER**

- **Applying for a job with us ...**

- Working for us ... **Working for us ...**

- Contracting with us ... **Contracting with us ...**

6. Where the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority, we might also share personal information with Audit Scotland, the Auditor General, the Accounts Commission or one of the audit firms appointed by them, for audit purposes.
7. In the event of a legal dispute, we may share personal information with our solicitors.

About us

Data controller

8. Daren Fitzhenry, the Scottish Information Commissioner, is our data controller. This means he decides what we do with your information and how we do it.
9. These are his contact details:

Email: enquiries@itspublicknowledge.info

Data protection officer

10. By law, we must have a data protection officer (DPO). Our DPO does a number of things, including:
 - (i) giving us advice on data protection laws and
 - (ii) monitoring our compliance with data protection laws
 - (iii) acting as our point of contact for our **Supervisory authority**.

11. Our DPO is Claire Turnbull.

12. These are her contact details:

Telephone: 0131 348 6080

Email: DPOservice@parliament.scot

13. We have an agreement with our DPO. The agreement can be read by clicking [here](#).

Supervisory authority

14. Every data controller has a “supervisory authority”. This is an independent body which makes sure that data controllers comply with data protection laws.
15. The supervisory authority in the UK is the Information Commissioner (the ICO). This is a different person from the *Scottish* Information Commissioner, so you can be sure the supervisory authority is independent.

16. You have a lot of rights about what can be done with your information. You can complain to the ICO if you don't think we've allowed you to exercise your rights fully or if you are unhappy about what we do (or have done) with your personal information.
17. The ICO's contact details are set out below. Alternatively, click here: **Making a complaint.**

Your rights

18. The law limits what we can do with your personal information. The law also requires us to tell you what we do with your information. (We tell you about that in: **What we do with your information.**)
19. The law gives you other rights. These rights are listed below. Click on the right you want to know more about.
20. The law gives you:
 - (i) **The right of access**
 - (ii) **The right to rectification**
 - (iii) **The right to erasure**
 - (iv) **The right to restrict processing**
 - (v) **The right to data portability**
 - (vi) **The right to object**
 - (vii) **Rights in relation to automated decision making and profiling**
21. We regulate and promote freedom of information law in Scotland. There are some things we are legally required to do. Your rights will be limited if exercising your rights in full would be likely to harm the work we do as regulator.
22. Contact us if you want to exercise any of these rights.

The right of access

23. You have the right to:
 - (i) ask us to confirm whether we hold your personal information and, if so –
 - why we hold it
 - what we do with it
 - what kinds of data we hold about you (you can find out how long we keep particular kinds of data in this notice)
 - who we share it with
 - where we got it from (where we can and if we didn't get it from you)

- (ii) get a copy of your information.
24. We usually have one month to give you the information.
25. We will usually give you a copy of the information free of charge, unless:
- (i) your request is very unreasonable (“manifestly unfounded”)
 - (ii) your request is excessive; or
 - (iii) your request is for copies of information we have already given to you.
26. Sometimes, we can refuse to give you information. This might happen if giving you information would affect the privacy rights of other people or if it would harm the work we do as regulators of freedom of information law.
27. More information about your right of access (including how you can complain if you are unhappy with the way we handle your access request) can be found on the ICO’s website: <https://ico.org.uk/>

The right to rectification

28. You have the right to ask us to:
- (i) correct (“rectify”) your personal information if the information is inaccurate
 - (ii) complete your personal information if the information we have is incomplete
29. We usually have one month to correct or complete your information.
30. We will correct or complete your information for free unless your request is very unreasonable (“manifestly unfounded”) or unless your request is excessive.
31. Sometimes we can refuse to correct or complete your information. This can happen if correcting or completing your information would harm the work we do as regulators of freedom of information law.
32. More information about your right to rectification (including how you can complain if you are unhappy with the way we handle your rectification request) can be found on the ICO’s website: <https://ico.org.uk/>

The right to erasure

33. This is also known as the right to be forgotten.
34. You have the right to ask us to delete (“erase”) information we hold about you in some cases, for example:
- (i) if the only reason we hold your information is because you have consented to us having it – and you no longer consent to us having it
 - (ii) if we have done something unlawful with your information.
35. You don’t have the right to tell us to delete your information:
- (i) if we need to use your information to comply with a legal obligation, or to pursue or defend a legal action

- (ii) if deleting your information would harm the work we do as regulators of freedom of information law

36. If we do need to delete your information, we usually have one month to do it.
37. We will correct or complete your information for free unless your request is very unreasonable (“manifestly unfounded”) or unless your request is excessive.
38. More information about your right to erasure (including how you can complain if you are unhappy with the way we handle your erasure request) can be found on the ICO’s website: <https://ico.org.uk/>

The right to restrict processing

39. In some cases, you have the right to ask us to restrict (or suppress) what we do with your personal information. For example, you can do this if:
 - (i) you believe your information is wrong – and we are checking to see if it is wrong
 - (ii) you believe we have done something with your personal information which has broken the law but, instead of wanting us to delete it, you ask us to restrict what we do with it
 - (iii) we no longer need your information, but you want us to hold onto it so that you can raise or defend a legal action.
40. You can’t require us to restrict what we do with your personal data if:
 - (i) we need to use your information to pursue or defend a legal action, or to protect the rights of others
 - (ii) deleting your information would harm the work we do as regulators of freedom of information law

41. If we do need to restrict what we do with your information, we usually have one month to do it.
42. We will restrict the way we use your information for free unless your request is very unreasonable (“manifestly unfounded”) or excessive.
43. More information about your right to restrict processing (including how you can complain if you are unhappy with the way we handle your request) can be found on the ICO’s website: <https://ico.org.uk/>

The right to data portability

44. This allows you to easily move, copy or transfer your personal information from one IT environment to another, for example across the banking industry.
45. This right is very limited. It does not apply to any information we hold about you.
46. More information about the right of data portability (including how you can complain if you are unhappy with the way we handle your portability request) can be found on the ICO’s website: <https://ico.org.uk/>

The right to object

47. You have the right to object to us doing things with your personal information, for example if:
- (i) you don't want to receive direct marketing from us
 - (ii) we are performing a task in the public interest or
 - (iii) we are exercising our official authority.
48. If you don't want to receive direct marketing from us, we will stop doing this as soon as we receive your objection.
49. We don't have to stop doing things with your information if that would harm the work we do as regulators of freedom of information.
50. More information about the right to object (including how you can complain if you are unhappy with the way we handle your objection) can be found on the ICO's website: <https://ico.org.uk/>

Rights in relation to automated decision making and profiling

51. You have the right to object to decisions being made about you by automated means, i.e. without any human involvement.
52. We do not make decisions this way.
53. More information about your rights to in relation to automated processing can be found on the ICO's website: <https://ico.org.uk/>

Withdrawing consent

54. If you have consented to the Commissioner processing your personal data – and if there is no other legal basis on which the Commissioner can process your data – you can withdraw your consent at any time.
55. If you want to withdraw your consent at any time, just let us know.

Keeping your information safe

56. The Commissioner takes the security of information very seriously. All personal information is subject to the following rules, regardless of whether the processing involves one of the special categories (such as racial or ethnic origin, political opinions and health):
- (i) All staff are trained on and understand the importance of data protection law
 - (ii) All staff are security vetted
 - (iii) All staff are subject to a duty of confidentiality
 - (iv) All hard copy files containing personal information are locked away each night in the office – in the rare cases where a file is taken out of the office, staff must take extra care to make sure the file is kept safe and secure

- (v) We have appropriate security measures to prevent personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. Security measures include password protection, IT encryption, access controls, regular security updates, firewalls and regular testing of systems.
- (vi) We retain your personal information only when it is necessary to do so and only for as long as is necessary to fulfil the purpose(s) it was collected for, including any legal, accounting or reporting requirements.
- (vii) We determine the appropriate retention periods for personal data taking into account the amount, nature and sensitivity of the personal data, the potential risk from harm from unauthorised use or disclosure of personal data, and the purposes for which the personal data is processed.
- (viii) More information about how long we keep information for can be found here: [File Plan and Retention Schedule](#).
- (ix) We securely destroy your personal information after the relevant retention period has expired

Making a complaint

- 57. If you are unhappy with what we do (or have done) with your personal information, you can complain to the ICO. [You can also contact us at any time before contacting the ICO to see if we can put things right.](#)
- 58. The ICO's contact details are:
<https://ico.org.uk/global/contact-us/>
Telephone: 0303 123 1113
- 59. More information about the role of the ICO can be found here: <https://ico.org.uk/>.

Other versions

- 60. If you would like a hard copy of this document, let us know. We will send one to you free of charge.

What we do with your information

PROMOTING FOI

Visiting our website ...

What information do we hold about you?	What do we do with your information?	Who do we share your personal information with?	Why are we allowed to do this with your personal information?	How long do we keep your personal information for?
<ul style="list-style-type: none">We use a third party service, Google Analytics, to collect details of visitor behaviour patterns. To do this, Google Analytics uses online identifiers, cookie identifiers, IP addresses and device identifiers.	<ul style="list-style-type: none">We monitor things like the number of visitors to different parts of our website, so we can plan updates and monitor whether we are meeting targets under our communications strategy.We do not use this information to identify anyone.	<ul style="list-style-type: none">We do not share this information with any third parties.	<ul style="list-style-type: none">To fulfil our regulatory functionsIf you do not want Google Analytics to collect this information about you, use Google's browser add-on to opt out of Google Analytics.	<ul style="list-style-type: none">This information will be held by Google Analytics until we stop using their service.

A note about cookies:

Our website also uses cookies, small computer files of letters and numbers that are downloaded to your user device (computer, tablet, smartphone, etc.) when you visit the website. Cookies allow the website to recognise your device each time you visit and provide us with data about how the website is being used. We cannot identify you from this information. We also provide links to third party content, including Facebook, twitter and Vimeo.

Receiving mailings from us...

What information do we hold about you?	What do we do with your information?	Who do we share your personal information with?	Why are we allowed to do this with your personal information?	How long do we keep your personal information for?
<ul style="list-style-type: none"> Your name, email address, postal address and the organisation you work for. 	<ul style="list-style-type: none"> We'll use it to send you emails. 	<ul style="list-style-type: none"> We use a third party provider, Campaign Master, to send emails. We won't share this information with anyone else. 	<ul style="list-style-type: none"> For mailings about changes to FOI law, regulation or our policies or procedures, we do this to fulfil our regulatory functions. Sometimes we will send you mailings for the purpose of our legitimate interests, e.g. to send you our annual report. If required, because we have your consent. 	<ul style="list-style-type: none"> For mailings about changes to FOI law, regulation, or our policies or procedures, for as long as you work in a role that requires you to know about such changes. For all other mailings, until you unsubscribe using the link in the email.

Using our enquiries service ...

What information do we hold about you?	What do we do with your information?	Who do we share your personal information with?	Why are we allowed to do this with your personal information?	How long do we keep your personal information for?
<ul style="list-style-type: none"> The information you give us about yourself, including your name and contact details. You do not have to give us your name or contact details if you want to make an enquiry to us. 	<ul style="list-style-type: none"> We use your contact details to respond to your enquiry. If you telephone us, we will keep a short note of your call (telephone calls are not recorded) to help us – and you – if you contact us at a later date. We may also use the file to check on the level of service we provide. 	<ul style="list-style-type: none"> We will not share your information with anyone (e.g. a public authority) unless you consent to us doing that. 	<ul style="list-style-type: none"> To fulfil our regulatory functions We have your consent 	<ul style="list-style-type: none"> A record of your enquiry (and any response given) is retained electronically but will be destroyed after 2 years.

Attending an event organised by us ...

What information do we hold about you?	What do we do with your information?	Who do we share your personal information with?	Why are we allowed to do this with your personal information?	How long do we keep your personal information for?
<ul style="list-style-type: none"> We will usually collect your name, email address, contact telephone number and, if relevant, your job title, and the organisation you represent. We may request details of your access/dietary requirements. 	<ul style="list-style-type: none"> To keep you informed in the run up to the event, and to share any relevant material following the event. For registration purposes on the day (may include name badges). To produce a delegate list to be shared with other attendees on the day to support delegate networking. Details of access or dietary requirements and breakout preferences will be used to enable us to best meet your individual needs at the event. 	<ul style="list-style-type: none"> If an event partner is helping us run the event, we may share your details with that partner, but only for the purposes of that event. We will not share your information with anyone else. 	<ul style="list-style-type: none"> We have your consent 	<ul style="list-style-type: none"> 2 years following the event.

Responding to one of our consultations ...

What information do we hold about you?	What do we do with your information?	Who do we share your personal information with?	Why are we allowed to do this with your personal information?	How long do we keep your personal information for?
<ul style="list-style-type: none"> The information you give us, including your name, contact details. You do not have to give us your name or contact details if you do not wish to. 	<ul style="list-style-type: none"> We use your views to inform our consultation To keep you informed of the outcome of the consultation. 	<ul style="list-style-type: none"> If an external partner is helping us run the consultation, or is helping us to translate consultation responses (e.g. BSL), we may share your details with that partner, but only for the purposes of that consultation. We will not share your information with anyone else. 	<ul style="list-style-type: none"> To fulfil our regulatory functions, or comply with a statutory duty We have your consent. 	<ul style="list-style-type: none"> A record of your consultation response is retained electronically. It will be destroyed six months after we publish a report on the consultation.

Giving feedback on our products/services or responding to a survey ...

What information do we hold about you?	What do we do with your information?	Who do we share your personal information with?	Why are we allowed to do this with your personal information?	How long do we keep your personal information for?
<ul style="list-style-type: none"> The information you give us, which may include your name, contact details, or personal opinions. You do not have to give us your name or contact details if you do not wish to. 	<ul style="list-style-type: none"> We use your views to inform our future work, changes to our services or to inform project reports or outputs We may publish parts of responses in some cases, but these will not contain any personal data Where we have asked for contact details, we may use them to get in touch with you about your response, or to keep you informed of the outcome of the survey or project. 	<ul style="list-style-type: none"> If an external partner is helping us run the feedback project or survey, or is helping us to translate responses (e.g. BSL), we may share your details with that partner, but only for the purposes of that project, and we will tell you who they are. When conducting surveys, we use a third party provider, JISC, to gather responses. We will not share your information with anyone else. 	<ul style="list-style-type: none"> To fulfil our regulatory functions We have your consent. 	<ul style="list-style-type: none"> We will keep survey and feedback response information until our work on the subject of the project is complete.

ENFORCING FOI

Appealing to us for a decision ...

What information do we hold about you?	What do we do with your information?	Who do we share your personal information with?	Why are we allowed to do this with your personal information?	How long do we keep your personal information for?
<ul style="list-style-type: none"> The information you give us, including your name, contact details. Comments we receive from the public authority about your appeal (which may or may not be your personal information). Any information we find in the public domain which is relevant to your appeal (which may or may not be your personal information). 	<ul style="list-style-type: none"> We use the information to help us decide if the public authority you complain about breached FOI law when responding to your request. We use the information to contact you about your appeal. The information is held electronically on our case management system and may also be held in hard copy files. We may also use the file to check on the level of service we provide. 	<ul style="list-style-type: none"> We give the authority you complain about a copy of your appeal (and other information you give us if relevant). We redact your contact details (if not already known to the authority) before sending your appeal to the authority. We may also redact information if it is not related to your appeal. If you appeal our decision to the Court of Session, we share your information with our solicitors and the court. Decisions are archived in the National Archives of Scotland. 	<ul style="list-style-type: none"> To fulfil our regulatory functions 	<ul style="list-style-type: none"> The contents of electronic case files are destroyed 5 years after case closure. Paper case files are destroyed 3 months after case closure.¹ Electronic versions of decision notices are held indefinitely.

Contacting us about criminal offences committed under FOISA or the EIRs ... We have a separate privacy notice which tells you what we do with this type of information. Search for “Privacy notice: investigations for law enforcement purposes” in our publication scheme: <http://www.itspublicknowledge.info/home/SICPublicationScheme/PSintro.aspx>.

¹ Our office premises are temporarily closed due to the impact of the of the Covid-19 pandemic. This means that, in most cases, information is only held electronically. It also means that hard copy files opened before lockdown may not have been destroyed after 3 months. The hard copy files are being kept securely and will be destroyed as soon as possible in line with our Retention Schedule.

Assessing if an authority is complying with good practice ...

What information do we hold about you?	What do we do with your information?	Who do we share your personal information with?	Why are we allowed to do this with your personal information?	How long do we keep your personal information for?
<ul style="list-style-type: none"> The information you gave us in relation to an appeal you made to us, including your name and contact details. The information about you which we obtain from an authority (e.g. copies of the information request you made to the authority and its response). This might include requests you have not appealed to us. It might also include information about other individuals, such as public authority staff. 	<ul style="list-style-type: none"> We use the information to help us assess whether an authority is complying with good practice in line with our Enforcement Policy and Intervention Procedures The information is held electronically on our case management system and may also be held in hard copy files. 	<ul style="list-style-type: none"> The public authority you made your information request to. 	<ul style="list-style-type: none"> To fulfil our regulatory functions 	<ul style="list-style-type: none"> The contents of electronic case files are destroyed 5 years after the closure of the intervention. Paper case files are destroyed 3 months after the closure of the intervention.²

² Our office premises are temporarily closed due to the impact of the Covid-19 pandemic. This means that, in most cases, information is only held electronically. It also means that hard copy files opened before lockdown may not have been destroyed after 3 months. The hard copy files are being held securely and will be destroyed as soon as possible in line with our Retention Schedule.

EXERCISING YOUR RIGHTS

Making an FOI request to us ...

What information do we hold about you?	What do we do with your information?	Who do we share your personal information with?	Why are we allowed to do this with your personal information?	How long do we keep your personal information for?
<ul style="list-style-type: none"> The information you give us, including your name, contact details. Views we receive from a third party about your request (which may or may not be your personal information). 	<ul style="list-style-type: none"> We use the information to contact you about your request, e.g. to seek clarification or provide you with the information you have asked for. The information will be held electronically on our case management system and in hard copy files. 	<ul style="list-style-type: none"> In order to comply with good practice we may have to ask a third party (e.g. a public authority) for their views on whether information can be disclosed. Wherever possible, we will do that without naming you. 	<ul style="list-style-type: none"> We are required by law to do it To fulfil our regulatory functions 	<ul style="list-style-type: none"> The contents of the hard copy of the file will be destroyed 40 working days after the response is issued if no request for review is received. If a request for review is received, the contents of the hard copy of the file will be destroyed 6 months after the review response is issued.³ The contents of the electronic file will be deleted after 3 years.

³ Our office premises are temporarily closed due to the impact of the Covid-19 pandemic. This means that, in most cases, information is only held electronically. It also means that hard copy files opened before lockdown may not have been destroyed after 40 working days (or 6 months, as appropriate). The hard copy files are being held securely and will be destroyed as soon as possible in line with our Retention Schedule.

Asking us for the information we hold about you or exercising your other data protection rights ...

What information do we hold about you?	What do we do with your information?	Who do we share your personal information with?	Why are we allowed to do this with your personal information?	How long do we keep your personal information for?
<ul style="list-style-type: none"> The information you give us, including your name, contact details. Views we receive from a third party about your request (which may or may not be your personal information). 	<ul style="list-style-type: none"> We use the information to contact you about exercising your right. The information will be held electronically on our case management system and, where you have asked for the information we hold about you, or where your request is likely to generate a lot of correspondence, in hard copy files. 	<ul style="list-style-type: none"> Where you have asked for information we hold about you, we may have to ask a third party (e.g. a public authority) for their views on whether information can be disclosed. Where we have to do this, we will name you. 	<ul style="list-style-type: none"> We are required by law to do it 	<ul style="list-style-type: none"> The contents of the hard copy of the file will be destroyed 40 working days after the response is issued if no request for review is received. If a request for review is received, the contents of the hard copy of the file will be destroyed 6 months after the review response is issued.⁴ The contents of the electronic file will be deleted after 3 years.

⁴ Our office premises are temporarily closed due to the impact of the Covid-19 pandemic. This means that, in most cases, information is only held electronically. It also means that hard copy files opened before lockdown may not have been destroyed after 40 working days (or 6 months, as appropriate). The files are being held securely and will be destroyed as soon as possible in line with our Retention Schedule.

Complaining to us about the service you've received from our office ...

What information do we hold about you?	What do we do with your information?	Who do we share your personal information with?	Why are we allowed to do this with your personal information?	How long do we keep your personal information for?
<ul style="list-style-type: none"> The information you give us, including your name, contact details. Comments we receive about your complaint. 	<ul style="list-style-type: none"> We use the information to help us decide if the complaint should be upheld and what further action is required We use the information to contact you about your complaint The information is held electronically on our case management system and in hard copy files. 	<ul style="list-style-type: none"> We may give the person complained about a copy of your complaint (and other information you give us if it is relevant to your complaint). If your complaint is not upheld you make a further complaint to contact the Scottish Public Services Ombudsman (the SPSO) If the SPSO is asked to consider the complaint we will give the SPSO details of your complaint, any information provided, comments about your complaint and details of our actions 	<ul style="list-style-type: none"> To allow us to perform a task that's in the public interest To exercise our functions 	<ul style="list-style-type: none"> The contents of electronic case files are destroyed 2 years after case closure. Paper case files are destroyed 3 months after case closure.⁵

⁵ ⁵ Our office premises are temporarily closed due to the impact of the Covid-19 pandemic. This means that, in most cases, information is only held electronically. It also means that hard copy files opened before lockdown may not have been destroyed after 3 months. The files are being held securely and will be destroyed as soon as possible in line with our Retention Schedule.

WORKING FOR – AND WITH – THE COMMISSIONER

Applying for a job with us ...

What information do we hold about you?	What do we do with your information?	Who do we share your personal information with?	Why are we allowed to do this with your personal information?	How long do we keep your personal information for?
<ul style="list-style-type: none"> The information you give us, including your name, contact details, information contained in your application form, in correspondence, information contained in references, identity information, security vetting, timetables, evaluations and interview questions/tasks Criminal convictions (only if successful at interview) 	<ul style="list-style-type: none"> We use the information in the recruitment process We use the information in the recruitment process 	<ul style="list-style-type: none"> We will share your name and details of the post applied for with referees We may share your information with our external employment advisers We will share your name, details of the post applied for and your identity information with the Scottish Parliament's Security Office We may share this information with third party employment advisers 	<ul style="list-style-type: none"> We have your consent We are required by law to do it To fulfil our regulatory functions 	<p>If unsuccessful, 6 months from the date of appointment of the successful candidate.</p> <p>If successful, the information will be transferred to a staff member file. (See "Working for us ..." below.)</p> <ul style="list-style-type: none"> As long as is necessary

Working for us ...

What information do we hold about you?	What do we do with your information?	Who do we share your personal information with?	Why are we allowed to do this with your personal information?	How long do we keep your personal information for?
<ul style="list-style-type: none"> Contact details, date of birth, next of kin, NI number, salary information, bank details, tax details, pension details, right to work documents, sickness absence records, Security vetting Information relating to your race, ethnicity, disability Maternity/paternity pay/adoption information Contract of employment Criminal convictions 	<ul style="list-style-type: none"> We use it for employment purposes We use it for employment purposes For equality monitoring purposes We use it for employment purposes We use it for employment purposes We use it for employment purposes 	<ul style="list-style-type: none"> We will share relevant information with our payroll services, HMRC, pensions provider and childcare vouchers provider We do not share this information with third parties We do not share this information (unless in an anonymised form) with third parties We will share relevant information with our payroll advisers, HMRC We may share this information with third party employment advisers 	<ul style="list-style-type: none"> For the performance of a contract (i.e. your contract of employment) For the performance of a contract (i.e. your contract of employment) We have your consent For the performance of a contract (i.e. your contract of employment) For the performance of a contract (i.e. your contract of employment); for the conduct of legal claims To fulfil our regulatory functions; for the conduct of legal claims; where it is necessary to protect a staff member's (or third party's) legitimate interests or where you have already made the information public 	<ul style="list-style-type: none"> Up to 7 years from termination of employment End of employment Up to 7 years from termination of employment 3 years from the end of the relevant tax year Up to 40 years from termination of employment As long as is necessary

<ul style="list-style-type: none"> • Contact tracing personal data, namely: <ul style="list-style-type: none"> ○ name ○ dates when attending the office premises ○ contact details (those contained in our HR system and in Outlook address book consisting of personal contact details and work email address and mobile phone number (if available)) 	<ul style="list-style-type: none"> • In order to assist in the containment of COVID-19, we will only share your personal data when it is requested directly by NHS Scotland. If requested, information will be transferred securely to NHS National Services Scotland who will use the data to contact trace those who were in close proximity to the positive case and will provide guidance and support to those who may be advised to self-isolate. 	<ul style="list-style-type: none"> • We may share this information with third party employment advisers • Information about when you are in the office premises and your contact details, may be used by us to enable NHS Scotland to contact you should you have been in the premises around the same time as someone who has tested positive for COVID-19 	<ul style="list-style-type: none"> • For the health and safety of everyone in our office and to help stop the spread of COVID-19, all members of staff are asked to support NHS Scotland's Test and Protect strategy. • If directly requested by NHS Scotland, Information about when you are in or have been in the premises and your contact details may be provided to NHS Scotland to enable NHS Scotland to contact you should you have been in the premises around the same time as someone who has tested positive for coronavirus. • Further information on the NHS Scotland Test and Protect strategy can be found on the NHS inform website https://www.nhsinform.scot/campaigns/test-and-protect 	<ul style="list-style-type: none"> • As long as is necessary - this information will not be shared unless we are contacted by NHS Scotland to ask for information about the presence of members of staff on a particular day in the office premises and for their contact details.
---	---	---	--	---

Contracting with us ...

What information do we hold about you?	What do we do with your information?	Who do we share your personal information with?	Why are we allowed to do this with your personal information?	How long do we keep your personal information for?
<ul style="list-style-type: none"> Personal information about you or your employees, etc. in tenders, contracts and correspondence regarding the contract 	<ul style="list-style-type: none"> Carrying out tendering exercises Managing contracts Making payments in line with the contract 	<ul style="list-style-type: none"> In the event of an issue with the contract, we may share the information with our legal advisers 	<ul style="list-style-type: none"> For the performance of a contract 	<ul style="list-style-type: none"> 5 years following termination of contract

Document control sheet

Document Information	
Full name of current version: Class, Title, Version No and Status. <i>E.g. C5 Key Documents Handbook v01 CURRENT ISSUE</i>	C5 Privacy Notice: general v02 CURRENT ISSUE
VC FileId	102891
Type	Policy
Approver	SMT
Responsible Manager	HOCS
Date of next planned review	June 2022 (or as required)
Approval & Publication	
Approval Date (major version)	25 May 2018
For publication (Y/N)	Y
Date published	03/09/2021
Name of document in website file library	C5_Privacy_Notice_v02
Corrections / Unplanned or Ad hoc reviews (see Summary of changes below for details)	
Date of last update	03/09/2021

Summary of changes to document				
Date	Action by <i>(initials)</i>	Version updated <i>(e.g. v01.25-36)</i>	New version number <i>(e.g. v01.27, or 02.03)</i>	Brief description <i>(e.g. updated paras 1-8, updated HOPI to HOOM, reviewed whole section on PI test, whole document updated, corrected typos, reformatted to new branding)</i>
25/05/18	MK	02.00	02.01	New document created
25/05/18	LM	02.01	02.06	DCS updated and documents published
07/06/18	KB	02.06	02.08	DCS updated and document published
15/08/18	MK	02.08	02.09	Additional text suggested re consultations (tracked)
15/08/18	HGS	02.09	02.10	Additional text and formatting approved by HGS and DCS updated
23/08/18	KB	02.10	02.11	DCS updated, published on website
28/09/18	LC	02.11	02.12	Additional text suggested re receiving mailings from us (tracked) and DCS updated
28/09/18	MK	02.12	02.13	Additional text accepted; DCS updated
19/02/19	MK	02.13	02.14	<ul style="list-style-type: none"> Text re criminal offences deleted and reference to separate notice included Minor amendments to "Appealing to us for a decision" for spacing reasons Title of document amended to; "Privacy Notice: general"
06/03/2019	BOW	02.14	02.15	DCS Updated, published on website
14/03/19	KB	02.15	02.16	Review date amended, DCS updated
14/03/2019	BOW	02.16	02.17	DCS updated, published on website
12/08/19	MK	02.17	02.18	Changes (tracked) to reflect forthcoming change to practice of naming applicants
12/08/19	MK	02.18	02.19	Changes (tracked) to cover information redacted from application

14/08/19	MK	02.19	02.20	Changes (tracked) to include information re. criminal records
13/09/19	HGS	01.20	02.21	Changes approved by SMT (August 2019), accepted by HGS, review date updated and DCS updated
20/09/19	BOW	02.21	02.22	DCS updated, published on website
24/10/19	MK	02.22	02.23	<ul style="list-style-type: none"> • Typo in para 5(iv) sorted • Additional processing ground added re. complaints on page 17
07/11/19	KB	02.23	02.24	Review date amended
07/11/19	HGS	02.24	02.25	Changes approved by HOCS.
08/11/19	BOW	02.25	02.26	DCS updated, published on website
08/05/20	HGS	02.26	02.27	Updated contact details for Commissioner, DPO and ICO – due to temporary working arrangements as a result of COVID-19, updated DCS.
30/07/20	BOW	02.27	02.28	Reviewed, review date amended.
30/07/20	BOW	02.28	02.29	DCS updated
22/09/20	MK	02.29	02.30	Minor changes to introductory text to simplify text and to reflect remote working.
12/11/20	HGS	02.30	02.32	Changes to reflect change of eMessenger to Campaign Master and changes re: surveys
13/11/20	MK	02.32	02.33	Changes accepted; minor formatting changes.
01/12/20	HGS	02.33	02.34	Ad hoc changes approved by HGS
02/12/20	BOW	02.34	02.35	DCS updated, published on website
07/12/20	BOW	02.35	02.38	Format updated – published on website
13/01/21	HGS	02.38	02.40	Ad hoc changes to include relevant details for contact tracing - in draft
15/01/21	MK	02.40	02.41	Changes reviewed – minor changes suggested.
18/01/21	HGS	02.41	02.42	Changes reviewed – accepted deletion of wording left in place in error
18/02/21	LC	02.42	02.43	Comments on changes added
26/02/21	MK	02.43	02.44	Change re retention of complaint files to tie with retention schedules
03/03/21	HGS	02.44	02.45	HGS approved minor change made by MK on 26/02/21
03/03/21	HGS	02.45	02.46	Contact tracing changes reviewed and updated following comments from GDPR Working Party and submitted to SMT for approval by email
03/03/21	MK	02.46	02.47	Contact tracing changes reviewed and approved.
03/03/21	HGS	02.47	02.48	SMT approved changes re: contract tracing details and DCS updated
04/03/21	BOW	02.48	02.49	DCS updated, published on website
29/06/21	MK	02.49	02.50	<ul style="list-style-type: none"> • Minor formatting changes to paragraph 5 • New section added: Assessing if an authority is complying with good practice ... • Footnotes added re use/destruction of hard copy files
30/06/21	HGS	02.50	02.53	<ul style="list-style-type: none"> • Comments and suggestions re: changes made by MK on 29/06/21 • Change of next review date
12/07/21	HGS	02.53	02.54	Accepted changes following approval (HGS, MK and EMG at GDPR WP on 30/06/21 DF – approval by email on 02/07/21
12/07/21	HGS	02.54	02.55	DCS updated
14/07/21	BOW	02.55	02.56	DCS updated, published on website
03/08/21	MK	02.56	02.57	<ul style="list-style-type: none"> • References to appeals portal removed • Formatting changes made

05/08/21	HGS	02.58	02.61	Changes approved by HGS and DCS updated.
12/08/21	LB	02.61	02.62	Checked out to look at formatting
03/09/21	BOW	02.62	02.63	Amended links in document, DCS updated, and published on website

Contact us

Scottish Information Commissioner

Kinburn Castle
Doubledykes Road
St Andrews, Fife
KY16 9DS

t 01334 464610

f 01334 464611

enquiries@itspublicknowledge.info

www.itspublicknowledge.information

© Scottish Information Commissioner 2021

You may use and re-use this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence v3.0. To view this licence, visit

<http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>