

SPCB Privacy Notice

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

Responding to Calls for Views using Citizen Space

The purpose(s) of the processing

Your views and experiences are essential to the Scottish Parliament when Committees need to gather views as part of a consultation or other public engagement exercises including Calls for Views. The submissions you provide to Committees are essential to the working on the Scottish Parliament so it can collect and undertake analysis of public opinion which is then used to help make decisions and recommendations on the performance of the Scottish Government and other areas of interest within the Committee's remit. When a Committee makes a Call for Views it may use Citizen Space, a third-party survey tool to collect, analyse and report on the submissions collected. Using Citizen Space means that you can engage with the Scottish Parliament in your own time in an accessible way.

All of the submissions will be published on the Scottish Parliament website and may be communicated on social media. You can find out more about the terms and conditions of using Citizen Space [here](#).

Collecting and holding personal data:

Before adding your content, you will be asked to provide your name and email address, this will be used if we need to contact you. When you submit your views and thoughts or make any comments on Citizen Space this information will be made public unless it is moderated. All the information you provide using Citizen Space will be subject to moderation by the SPCB to remove any defamatory or other inappropriate content.

You will be asked to confirm that you have read and understood the content of this privacy notice before adding any information to Citizen Space. You can also choose to provide your submission anonymously.

When making your submission please do not include information that could lead to other individuals being identified, for example including other people's names, contact details or similar identifying information

The Scottish Parliamentary Corporate Body (SPCB) processes any personal data you send in line with the requirements of the General Data Protection Regulation (GDPR) and the Data Protection Act 2018. 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 in line with the legal basis for which it is being processed. Further information about data protection legislation and your rights is available [here](#).

The Code of Conduct places further obligations on all Members of Parliament in terms of how they handle material containing personal data in the course of their Committee Work. The Code of Conduct can be found [here](#). The relevant section is Section 7.

The categories of information processed

Depending on what views and experiences you decide to share, the content of your submission may contain **normal category** personal data including for example your name. Your submission may also contain ***special category** personal data.

*Special category personal data includes information about an individual's race; ethnic origin; political or religious views; sex life or sexual orientation; trade union membership; physical or mental health; genetic or biometric data.

Your name and email address may be used by the Scottish Parliament to contact you about your submission or your participation.

Source of the information

Personal data is provided directly to Committees from participating individuals using Citizen Space.

The legal basis of processing

Data protection law states that we must have a legal basis for handling your personal data. The legal basis for processing the personal data you provide to the Scottish Parliament in your submission using Citizen Space is that it is necessary for the performance of a task carried out in the public interest (for normal category data) or substantial public interest (for special category data) in accordance with Art 6(1)(e) GDPR and section 8(d) DPA (for normal category data) or Art 9(2)(g) GDPR and section 10(3) and paragraph 6(2)(b), part 2, schedule 1, DPA (for special category data). The task is to facilitate evidence gathering for a parliamentary Committee which is part of the core function of the SPCB and is therefore a Crown function in accordance with section 8(d) of the DPA for effective and full consideration of public views and opinions which include special category data submitted by individuals for the reason of substantial public interest.

The legal basis for transferring your personal data to the National Records of Scotland is that it is necessary for archiving purposes in the public interest in accordance with Art 6(1)(e) GDPR and section 8(d) DPA or, for special category data, Art 9(2)(j) GDPR, and section 10(2) and paragraph 4 of Schedule 1 of the DPA.

Data Sharing & Retention of data

The information you provide using Citizen Space will be used by Scottish Parliament staff. Staff in Committee Offices may make presentational changes to the information you have supplied in order to publish it. This will not interfere with the meaning of the content of the information you have submitted. Unless you have identified that

your submission is being made anonymously, all the information you submit to Citizen Space including your name and any personal data you have provided including your thoughts and views will be published on the Scottish Parliament website. It will also be subject to analysis and may be included in the summary of consultation responses which will become part of the public record. Personal information contained within a public record will be retained in accordance with the Scottish Parliament records management policy and may be transferred to the Scottish Parliament archive at National Records of Scotland where it will be publicly available

The information you have submitted will be retained on Citizen Space for one month after the Call for Views Consultation is closed or until the conclusion of the Inquiry being undertaken by the Committee.

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.

For example, the rights allowing for deletion or erasure of personal data (right to be forgotten) and data portability do not apply in cases where personal data is processed for the purpose(s) of the performance of a task carried out in the public interest. The right to object to the processing of personal data for the purpose(s) of a public interest task is restricted if there are legitimate grounds for the processing which override the interest of the data subject. This would be considered on a case by case basis and depends on what personal data is involved and the risks further processing of that data would pose to you.

The following rights will apply:

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.

Objecting to how we may use your information – You have the right at any time to require us to stop using your personal information for direct marketing purposes. In addition, 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.

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 1 November 2019 and will be reviewed within 12 months if not updated prior to that.

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.

Date	Version	Summary of changes
07/10/2019	1.0	
01/11/2019	2.0	Updates to privacy notice to include changes to the definition of special category data, deletion of the section on data sharing and changes to the section on "Your Rights" to reflect the legal basis for processing.