

SPCB Privacy Notice

This privacy statement explains how we collect and use personal information about you for the following process: **Communication with Former Members of the Scottish Parliament**

Our contact details are:

Human Resources Office,

The Scottish Parliament,

Edinburgh,

EH99 1SP.

We are a “**data controller**”, which means we are responsible for deciding how we hold and use your personal information. This notice explains how we will use your personal information once you are no longer a Member of the Scottish Parliament and your rights in relation to your personal information.

The categories of information processed

Normal category data is processed which includes; title, name, date of birth, national insurance number, home address, email address, telephone number, bank details, next of kin/ emergency contact details.

Source of the information

Personal data will be provided to us directly whilst appointed as a Member of the Scottish Parliament or after appointment. Personal data will also be provided by the pension provider when pension comes into payment.

The purpose(s) of the processing

We will process your personal information to

- Contact you in relation to the winding up of your office and staff when appointment as a Member of the Scottish Parliament ceases;
- Pension administration and payment;
- Contact you in relation to the Former Member Association.
- Contact you about upcoming Events and Activities being held at the Scottish Parliament which may be of interest to you.

The legal basis of processing

The legal basis for processing your personal information in relation to the winding up of your office is that the processing is necessary for a task carried out in the public interest (Art 6(1)(e) of the General Data Protection Regulation (GDPR) and s8(d) of the Data Protection Act 2018 (DPA)). The public interest task is to assist the former Member in the winding up of their offices.

The legal basis for contacting you for the purposes of pension administration and payment is that we have a legal obligation to pay pensions, allowances and gratuities to Members under s 81(3) of the Scotland Act 1998 and any legislation made under it.

In relation to the Former Member Association, the legal basis is consent of the data subject in accordance with Art 6(1)(a) GDPR.

In relation to events and activities the legal basis is your consent to the processing of your personal data (Article 6(1)(a) (GDPR)). As the legal basis for processing is your consent, please note that you can withdraw your consent at any time. You can find out more information withdrawing your consent on the Information Commissioner's Office (ICO) website at the following link:

<https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/consent/>

Data sharing

We may share your personal information with the following third parties if this is required by law;

- HMRC;
- Banks/ Building society;
- Our service providers, including payroll and pension administrators, which act as our data processors;
- Other third parties as necessary to comply with the law.

Retention of data

We will retain all of your personal information during your engagement until age 100 for the purposes of pension administration and to allow us to establish, exercise or defend potential legal claims.

For the purpose(s) of contacting you about Events and Activities being held at the Scottish Parliament your contact details will be retained by the SPCB until you withdraw your consent.

Your rights

Data protection legislation sets out the rights which individuals have in relation to personal data held about them by data controllers. Applicable rights are listed below, although whether you will be able to exercise data subject 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), data portability and your right to object do not apply in cases where personal data is processed in respect of a legal obligation. The rights of erasure and data portability do not apply where personal data is processed for 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. Finally, the right to object does not apply where you have consented to the processing of your personal data.

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 request us to stop using your personal information for the purposes of the Former Member Association by withdrawing your consent.

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.
- We are using that information with your consent and you have withdrawn your consent – see [Withdrawing consent to using your information below](#).
- 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.

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.

Withdrawing consent to using your information – Where we use your personal information with your consent, you may withdraw that consent at any time and we will stop using your personal information for the purpose(s) for which consent was given.

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 **26 September 2019**.

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

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

Date	Version	Summary of changes
26/09/2019	2.0	Extended content to cover events.