

SPCB Privacy Notice

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

Artists, Lenders, Donors and Subjects Information stored on collection management system and collection records

The purpose of the processing

Information regarding artists who have exhibited work at the Scottish Parliament, their subjects, donors to the collection and lenders who are loaning works of art to the Art Collection are held electronically in our catalogue system and associated records in order to facilitate collection management.

The Categories of Information processed

The data used is **normal category** data such as the title, name, email address and other contact information of artists exhibiting work at the Scottish Parliament or donors or lenders to the Art Collection.

We may also process some ***special category** data including biographical information relating to an artist of a work or their subject in the work (for example, disability information or sexuality) if this information is directly relevant to, or otherwise informs, the artwork and where the contributor or subject have themselves put that information into the public domain. The information would be held as part of a catalogue record about the artwork and may be used in interpretation (for example a caption or text panel) about the artwork.

*Special category personal data consists of information about racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, and the processing of genetic data, biometric data for the purposes of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

Source of the information

Personal information is provided directly by the artists, subjects, lenders and donors (the data subjects) themselves or indirectly via their agents or representatives.

The Legal basis of Processing

We must have a legal basis for processing personal data (including normal and special category data) in terms of Article 6 of the General Data Protection Regulation (GDPR). To process special category data, we also require a separate condition for processing in terms of Article 9 GDPR.

The legal basis for the processing of the personal data as described above is that it is necessary for the purposes of the legitimate interests of the SPCB of facilitating curation activity and collection management (Article 6(1)(f) GDPR).

For special category data the processing relates to personal data which is manifestly made public by the data subject (Article 9(2)(e) GDPR).

Retention of Data

Details of artists, subjects, lenders and donors are held electronically and retained for the lifetime of the artwork or loan period plus 5 years in accordance with the Scottish Parliament records management policy

Data sharing

We will seek permission to share the artist/subject/lender/donor's contact email addresses with third parties such as contractors or trusted suppliers. The names of artists, subjects, lenders and donors, sometimes with their year or date of birth and short biographical information, appear alongside artwork within in the Parliament building, on the Parliament website and other social media platforms where artworks are promoted.

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 process your personal data based on a legitimate 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 21 February 2020 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:

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

Complaints

We seek to resolve directly all complaints about how we handle personal information, but you also have the right to lodge a complaint with the Information Commissioner's Office online at: <https://ico.org.uk/make-a-complaint/>

Or by phone at: 0303 123 1113



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

Date	Version	Summary of changes
25/05/2018	1.0	
21/02/2020	2.0	Privacy Notice updated to include the definition of special category data minor formatting changes. To include reference to the right to make a complaint to the ICO.