

SPCB Privacy Notice – Submitting Your Views to Committees Using Your Priorities

Purposes of the processing

Your views and opinions are essential to the working of the Scottish Parliament Committees. Committees sometimes use a third-party online tool to collect these views called Your Priorities. This is an online discussion platform where you can express your ideas and views and rate the ideas put forward by others when Committees ask for your views during an inquiry or call for views. You can provide information using a video or audio format as well as writing your comments and you can choose to provide a profile photo. The Committee will use the information you provide via Your Priorities to help it make decisions and recommendations and to aid parliamentary scrutiny of the performance of the Scottish Government and other areas of interest within the Committee's remit.

Collecting and holding personal data

Before taking part, you will need to register on the Your Priorities Site. You will be asked to provide a username and email address. When you submit any ideas or make any comments on the site, your username will be made public, along with the comments you make in the Dialogue. You can also submit information anonymously if you prefer.

Please consider this when choosing a username. You can use an anonymous username, or your own name if you prefer, but please avoid using any offensive language as part of your username (or anywhere in Your Priorities) and do not use your email address as a username. The ideas and views expressed using Your Priorities will be subject to moderation.

Participants are reminded that this is a public forum. Participants should therefore not post information that can identify another person, such as other people's names, or any addresses or telephone numbers. If you intend to refer to a third party, please ensure you have their permission before posting.

The Scottish Parliamentary Corporate Body (the SPCB) processes any personal data you send to it under the requirements of the General Data Protection Regulation (EU) 2016/679 (the GDPR) and the Data Protection Act 2018 (the DPA). 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 with your consent or according to a legal obligation. Further information about the data protection legislation and your rights is available here:

<https://ico.org.uk/for-the-public/is-my-information-being-handled-correctly/>

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

The ideas you submit and any comments you make will be made available publicly to allow you to participate in Your Priorities. Depending on what views and experiences you have decided to share the content of your ideas and/or comments may be considered as ***special category** personal data.

Your username and email address may be used to contact you about your comments, or to ask you to fill in a survey about your use of Your Priorities. This is standard or **normal 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.

Sharing personal data:

The ideas and views you submit to Your Priorities in all formats will be shared on social media and will be available in the public domain. It will also be shared with members of the moderating team at the Scottish Parliament and with other offices within the SPCB involved in making your views public. These include but are not restricted to Committee Offices, the Scottish Parliament Information Centre (SPICe), the Web and Social Media Team and the Committee Engagement Unit. Your contact details will be retained by the SPCB and will not be made public. These will only be used to contact you in relation to your content. The information you provide using Your Priorities will also be held by Citizens Foundation who are the providers of Your Priorities. More information about the Citizens Foundation is available here: https://docs.google.com/document/d/1k_el2lfMzZ94uT_1sLcvIK_hXR7u3fxdAdSKrFcAa4g/edit

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 collecting, holding, sharing and publishing your personal data on Your Priorities is that the processing 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) and section 10(3) and paragraph 6(2)(b), part 2, schedule 1, DPA. The task is to facilitate evidence gathering for a parliamentary Committee which is part of the core function of the SPCB and therefore a government function in accordance with section 8(d) DPA. For effective and full consideration of public views and opinions, the SPCB must be able to receive, store and use submissions which include special category data submitted by the respondent. The processing of special category data is therefore necessary for reasons of substantial public interest.

For the transfer of data to the National Records of Scotland, the legal basis is that it is necessary for archiving purposes in the public interest (Art 6(1)(e) GDPR, section 8(d)Art DPA or Art 9(2)(j) GDPR, section 10(2) DPA).

Publishing your views

The contributions you make to Your Priorities (including the username you provide) may be referred to in discussions by Parliamentary Committees or in Committee Reports and may be archived for permanent preservation. This means that they may be made publicly available in one or more of the following ways:

- using social media including for example Instagram, Twitter and Facebook.
- being referred to in a live broadcast of Committee proceedings,
- made available in a recorded video of Committee proceedings on [Parliament TV](#),
- in the transcript of Committee proceedings published by the Parliament (the Official Report),
- in written reports published by the Committee and made available on the Parliament website).

To find out more please read our Privacy Notice about how comments submitted for committee evidence is treated.

As part of the process for registering on this site, you will be asked to tick a box to confirm that you have understood how your data is going to be processed. You should be aware that we will be unable to delete any references to comments which have already been mentioned during Parliamentary Committee broadcasts (including archive recordings available on the Parliament website) or already published in Committee reports or in the Official Report.

Data sharing and retention of personal data

Your ideas, comments and username will be available on the Your Priorities site for the duration of the Committee inquiry before being transferred to Scottish Parliament IT systems. Your contact details will be deleted one month after the close of the consultation.

A summary of contributions may appear on the Parliament website and as a link in an annexe to a report.

The content of your participation in Your priorities will form part of the public record and will help create the evidence base upon which Members of the Scottish Parliament make decisions. 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.

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 purposes of the performance of a task carried out in the public interest. The right to object to the processing of personal data for the purposes 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 – 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 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 10 December 2019 and will be reviewed after 12 months if not updated before then.

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	Updated to include reference to the Data Protection Act 2018 and the definition of special category data in terms of the General Data Protection Regulation and changes to the section on “Your Rights” to reflect the legal basis for processing and minor formatting changes.
10/12/2019	3.0	Updated to include additional wording on collection, sharing and holding of personal data.