

SPCB Privacy Notice

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

Travelling the Distance by Shauna McMullan Interpretation and research project, 2018

At the end of this notice, we ask for your agreement to participate in the project and confirmation that you have read this notice – so please read this notice carefully and contact us if you have any questions.

The purpose of the processing

Information regarding the contributors to and subjects of this artwork is being researched and collated for the purposes of a new digital touchscreen which will sit alongside the artwork and will provide visitors with information about the artwork's history, the artist's practice and some information about the women whose lives are celebrated and highlighted in the sculpture. The purpose for which this information will be collected and used is therefore the promotion of public engagement with the Parliament and its Art Collection.

Some of the information collected will also be held electronically in our electronic records in order to facilitate collections management.

The Categories of Information processed

Normal category data, including title, name, email address and other contact information, year of birth, short biography, photographs, audio voice recordings and films. No contact information will be included in the material on the digital touchscreen.

Some ***special category** data relating to a contributor or subject in the work (for example, disability information or sexuality) may be included in the material available on the digital touchscreen and recorded in our records 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.

*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 purpose 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 either provided directly by the contributors or subjects themselves or indirectly via their agents or representatives or is sourced from publicly available sources and fact-checked as part of the drafting and editing biographies. We will only collect and use this information in the digital touchscreen if the individuals agree to take part in the project.

Participants should be aware that if they agree to take part in the project then the information provided may be used for the purposes of public engagement as described in this notice; our legal basis for using the information in this way is not consent (see the section on legal basis below) and so we can still use the information even if you change your mind about wanting to take part in the project.

The Legal basis of Processing

The legal basis for the processing of the personal data as described above is that it is necessary for the performance of a task carried out in the public interest (Art 6(1)(e) of the General Data Protection Regulation (GDPR) and section 8(e) of the Data Protection Act 2018 (DPA)). The tasks carried out in the public interest here are the Scottish Parliamentary Corporate Body's (SPCB) tasks of facilitating curation activity, interpretation and collections management for the purposes of promoting public engagement with the Parliament and education in relation to the Parliament and its Art Collection.

As regards any special category data, processing is necessary for reasons of substantial public interest (Art 9(2)(g) GDPR and paragraph 6 (1)(b), part 2, schedule 1 DPA). The tasks carried out in the public interest here are the SPCB's tasks of facilitating curation activity, interpretation and collections management for the purposes of promoting public engagement with the Parliament and education in relation to the Parliament and its Art Collection.

Retention of Data

Details of the contributors and subjects are held electronically and retained for the

lifetime of the artwork or loan period plus 5 years in line with the SPCB Records Retention Schedule.

Data sharing

Personal information will appear alongside the artwork in the Parliament building, on a digital touchscreen located near the artwork to help interpret it to visitors – contributors' and subjects' names, year of birth (if living), date of birth/death (if deceased), short biographies, photographs sourced from photo libraries or provided for this purpose by contributors/subjects themselves, audio recordings of the written tributes and film/photographic portraits produced by Scottish Parliament officials. In order to produce the digital content, this information is being shared with the Parliament's contracted exhibition designers.

Personal information – names of the contributors and subjects – appears online on the Parliament website and other social media platforms where artworks are promoted. Contact details are not shared with any other organisation or third party.

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. 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 may 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 process your personal data 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 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:

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
04/10/2019	1.0	N/A
21/02/2020	2.0	Privacy Notice updated to include changes to the section on "Your rights" to reflect the legal basis for processing. To include information about making a complaint to the ICO and minor formatting changes.