

Privacy Notice –Witness diversity survey

Purposes of processing

The Scottish Parliament and its committees are working towards hearing from a more diverse range of people who are broadly representative of Scotland's society. Collecting monitoring information about the characteristics of committee witnesses enables us to measure progress towards ensuring that committees hear from a wide range of voices.

Collecting and holding personal data

The Scottish Parliamentary Corporate Body (the SPCB) processes any personal data you send to it under the requirements of the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA). Personal data consists of data that relates to an identified or identifiable individual. The SPCB will hold any personal data securely, will use it only for the purposes it was collected for. 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/>

Categories of information

The survey asks for information about your gender, sexual orientation, age, disability, ethnic group, religion and the first half of your home postcode. It does not ask for your name, but it includes the name and date of the committee that you attended. Some of this information, including your race or ethnic origin, sexual orientation, religion and whether you are disabled, may be considered as ***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.

The legal basis for processing

Data protection law states that we must have a legal basis for handling your personal data. The legal basis for collecting and holding your personal data is your consent to our use of your personal data for the purpose(s) of creating a statistical analysis report in terms of Art 6(1)(a) GDPR and .

The survey software programme we use will ask you to indicate your explicit consent and explain how and up to what point you can withdraw your consent.

You are not required to complete the survey, and you can decline to answer any individual question within the survey.

We use the data received from the survey to create statistics which only show anonymised data.

Smart Survey

The data will be collected via Smart Survey which is a third-party online survey system enabling the Scottish Parliament to collect and analyse survey information. Smart Survey is based in the UK and is subject to the requirements of data protection legislation. The privacy policy for Smart Survey is available here:

<https://www.smartsurvey.co.uk/privacy-policy>

How your data will be stored and processed

Survey responses will be collected and stored on the Smart Survey server. The survey and survey responses will be protected by a password and only authorised staff of the Scottish Parliament will have access to them. Because the information about the name and date of the committee might, along with other publicly available information, enable an individual to be identified, we will make sure that survey responses are kept securely and that any reports or published information derived from the survey are grouped so that no individual respondent can be identified.

The responses will be downloaded from Smart Survey once a year by an authorised SPCB staff member who will be designated to carry out the analysis. The data, once extracted, will be held securely on Scottish Parliament IT systems

The SPCB will use these survey results to analyse annual trends. The data will be grouped, for instance by committee, organisation or inquiry type. This grouping of the data will remove any risk of individual identification. The analysis will be published annually by Parliament and made publicly available on the website.

Retention and deletion of data

Data, made up of your survey response, will normally be retained for a period of 12 months on Scottish Parliament IT systems after the end of the reporting year in which you attended the Committee. Thereafter, your response will be deleted.

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 right to object to how we use your information does not apply where you have consented to the processing of your personal data. 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.

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. Where we have not yet incorporated your data into a statistical analysis, we will not do so after you have withdrawn your consent and delete all your data. Please note that once your data has been aggregated into an anonymised statistical report, we will not be able to extract your data from that report.

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
25/05/2018	1.0	N/A
01/11/2019	2.0	Privacy Notice updated to include reference to the Data Protection Act 2018, an update to the retention period and minor formatting changes.