

SPCB Privacy Notice – Use of Social Media

This privacy statement explains how we collect and use personal information about you from social media channels.

Use of social media

The Scottish Parliamentary Corporate Body (SPCB) uses social media channels as a key part of its public engagement work. As well as using these channels to put out information for awareness raising purposes, we encourage interactions, particularly those that can be fed into parliamentary scrutiny. Content includes, but is not restricted to, images, videos (live and archive), infographics and animations.

The channels we are currently active on are Facebook, Twitter, Instagram and LinkedIn. We are also active on YouTube and have a number of blogs, but these do not have comments enabled and therefore no personal data is collected. We use Hootsuite to manage some of our social-media content.

The categories of information processed

If you add a comment or tag us in a tweet, we may store the data that we consider as **normal category** data. This would include your user name, and any other personal information you have shared with us.

Depending on what views and experiences you have decided to share, the content of your submission may be considered as ***special category** data.

*Special category data consists of information revealing 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.

Most of the time we will not be processing any information provided to the Parliament via social media, and our interactions remain on the channels themselves. These are covered by the terms and conditions and privacy notices of each of these software tools. We don't use any data that people have not already agreed to make public on the channels themselves.

[Facebook privacy notice](#)

[Twitter privacy notice](#)

[Instagram privacy notice](#)

[LinkedIn](#)

[Hootsuite privacy notice](#)

The majority of data made available to us by these channels, which we use for reporting and planning purposes, is anonymised statistical information. There are

only certain occasions where we may store and process your personal information. This would include your user name, what you choose to say to us, and your profile photograph.

The SPCB does not take personal data and store it in a CRM or similar type of electronic system that collates and stores data to be used for marketing or audience insight work.

However, we may take screenshots of comments for use as part of public engagement activities, for example, a committee inquiry. We always say what we are asking for and why in the posts we ask for comments on, and wherever possible, we point you to the Scottish Parliament's website where you can find out more information. This will include information about what we will use the information for.

The other posts we might choose to take copies of would be to use in internal reports. These would include campaign evaluations, feedback, and good/bad examples for training purposes. Other than the personal information in the post itself, no other data is stored. These documents are internal only and kept for a maximum of 2 years, unless there is a good reason to retain for longer, the legitimate interest in question being engagement with the public. Personal information identifying people other than the originators of the post will be redacted before being used. In other words, if you name someone else who is personally identifiable in a comment, we do not have their consent to use that information and will therefore anonymise it.

We maintain a number of public and private Twitter lists. These aggregate content into helpful feeds, such as MSPs, committees, news outlets and journalists, etc. Internally these are used for current awareness. As these only contain content already published on Twitter this does not constitute data collection and data sharing. As soon as a tweet or Twitter account is deleted these will no longer be accessible via our lists.

Case studies are an effective way of telling a story and making some of the issues that the Parliament is looking at more meaningful and tangible to our social media audiences. No personal information about members of the public contained in our case studies will be published without explicit consent having been provided.

The same is applied to photographs of people and anyone who appears in a video that appears on our channels. Images and videos that are taken of parliamentary business, for example committee witnesses or of the public gallery in the debating chamber, form part of the public record. Images and videos that are taken for promotional purposes require explicit consent. Our process for acquiring this is outlined in the privacy notice below.

The legal basis of processing

In terms of the General Data Protection Regulation (GDPR) we must have a legal basis for processing personal data (including normal and special category data). To process special category data we also require a separate condition for processing and, where applicable, a public interest condition in terms of Part 2, Schedule 1 to the Data Protection Act 2018 (DPA).

For the handling of general enquiries, the legal basis for processing is that it is carried out in the legitimate interest of the SPCB. The legitimate interest in question is engagement with the public through social media channels and – within the parameters outlined above – using the data to inform or illustrate issues that are under discussion in the Parliament or its Committees in accordance with Article 6(1)(f) GDPR.

If you have provided comments on social media, they may be included in a Committee report (including your name, profile picture and the text or image contained in your comment). Committee reports will be available on the Scottish Parliament website. They will also be transferred to the National Records of Scotland (NRS) for archiving purposes and will continue to be publicly searchable on an ongoing basis.

The legal basis for transferring Committee reports to NRS is that it is necessary for archiving purposes in the public interest (Article 6(1)(e) GDPR and section 8(d) of the DPA and (for special category data) Article 9 (2)(j) GDPR and section 10(2) DPA and paragraph 4, Part 1, Schedule 1 of the DPA.

Data sharing and retention

The personal information you put on social media will be publicly available. The Parliament uses Hootsuite to manage its social media accounts, this does not include any data that is not already in the public domain. Hootsuite is a social media aggregator from a number of channels and enables people to manage all their social media activity in one place.

It is therefore a data processor of content generated, requested or published via its supported platforms.

If you have provided comments on social media they may be included in a Committee report (including your name, profile picture and the text or image contained in your comment). Committee reports will be available on the Scottish Parliament website. They will also form part of the public record. 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.

Committees may also get in touch with you to see if you wish to formally submit your views on the topic that you have discussed on social media. This process has its own privacy notice.

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 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 11 August 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



HAPPY TO TRANSLATE

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

Date	Version	Summary of changes
15/15/2018	1.0	
11/08/2020	2.0	Privacy Notice updated to include reference to the special category data (including the definition of special category data) and the Data Protection Act 2018. To include changes to the section on "Legal basis of processing" with reference to para 4, Part 1, Schedule 1 of the DPA and reference to the right to make a complaint to the ICO and minor formatting changes.