

## **SPCB Privacy Notice – Website Feedback Enquiries**

This privacy statement explains how we collect and use personal information about you when we receive correspondence via the website contact form or to the [Webteam@parliament.scot](mailto:Webteam@parliament.scot) mailbox.

### **The categories of Information processed**

We process the **normal category** data such as names, email addresses, postal addresses and/or telephone numbers. Depending on the subject-matter of the enquiry, we may also receive and temporarily store **\*special category** data, for example, information about health, sexual orientation or religious or political beliefs.

\*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 to us by you (the data subject) when you make an enquiry via the website contact form or by someone contacting us on your behalf.

### **The purpose of the processing**

We process any personal data provided in order to answer the questions asked or in order to provide relevant contact details if the enquiry needs to be redirected.

### **The legal basis for 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).

The legal basis for the processing of personal information (both normal and special category) is that it is necessary for the performance of a task carried out in the public interest under Article 6 (1)(e) GDPR and section 8 (d) of the Data Protection Act 2018 (DPA). The task is the engagement with the public through all available channels. This includes enabling members of the public to submit enquiries to the Parliament through the website and social media channels on any subject matter including those which relate to special category personal data.

For processing special category data, processing is necessary for reasons of substantial public interest in terms of Article 9(2)(g) GDPR and section 10(3) DPA, in accordance with paragraph 6 (2)(b), Part 2, Schedule 1, DPA.

The sharing of data (as referred to below) with the police and security forces where

necessary is based on a legitimate interest of the SPCB in accordance with Art 6(1)(f) GDPR.

### **Data sharing**

Personal information may be shared internally with other departments within the Scottish Parliament if this is necessary in order to deal with the enquiry.

It may also be shared with the police and security forces if the correspondence contains threats, abusive language or indications of illegal activities.

### **Retention of data**

Personal information in correspondence is held securely on Scottish Parliament IT systems for no more than two years.

If correspondence includes personal information belonging to any of the special categories, we hold this only until we have responded to or otherwise dealt with the enquiry.

### **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 (the right to be forgotten) and data portability and do not apply in cases where personal data is processed for the performance of a task 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 or for 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 10 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:

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](mailto:dataprotection@parliament.scot)

### **Complaints**

We seek to resolve directly all complaints about how we handle your personal information, but you also have the right to lodge a complaint with the Information Commissioner's Office:

<https://ico.org.uk/make-a-complaint/>

By phone: 0303 123 1113



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	
10/08/2020	2.0	Privacy Notice updated to include reference to the Data Protection Act 2018 and to the definition of special category. To include changes to the section on “Your rights” to reflect the legal basis for processing. To include reference to the right to make a complaint to the ICO and minor formatting changes.