

## **SPCB Privacy Notice**

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

### **MSPs' Registers of Interests**

#### **The categories of information processed**

**Normal category** data, such as names and addresses, can be included in MSPs' Registers of Interests. Sometimes **special category** data is processed, such as political views and trade union membership, when the MSP has registered membership of particular organisations.

\*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.

#### **Source of the information**

This information is provided by MSPs to the Standards Clerks.

#### **The purpose(s) of the processing**

The purpose of the holding of the personal data is to fulfil the statutory obligation of keeping a Register of Interests.

#### **The legal basis of processing**

MSPs are required to register certain financial interests in a Register of Interests. This is a legislative requirement set out in the Interests of Members of the Scottish Parliament Act 2006.

Under s 1 of that Act, a Register of Interests must be kept at the Scottish Parliament by the Clerk to the Scottish Parliament. The Scottish Parliament Corporate Body (SPCB) is the corporate body that enables the Clerk to fulfil this function.

The legal basis for processing the personal data is therefore that it is necessary for a statutory obligation to which the SPCB is subject in accordance with Art 6(1)(c) of the General Data Protection Regulation (GDPR) (for normal category data) or that it is necessary for the purposes of substantial public interest in accordance with Art 9(2)(g) GDPR, and s10(3) of and para 6 of Schedule 1 of the Data Protection Act (DPA) (Crown function).

## **Data sharing**

In accordance with section 11 of the Interests of Members of the Scottish Parliament Act 2006 the information is publicly available online on the Scottish Parliament website.

## **Retention of data**

Register entries are kept for a ten-year period (after amendment or deletion). This is a requirement of section 10 of the Interests of Members of the Scottish Parliament Act 2006. They are then deleted.

## **Consequences of not processing personal data**

If the SPCB was not processing personal data as specified in this privacy notice, the SPCB would be in breach of its statutory obligations.

## **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, data portability and objecting to the processing of personal data do not apply in cases where personal data is processed for the purpose of complying with a legal obligation – these particular rights will therefore not apply to any personal data processed by us for the purpose of fulfilling our legal obligations under the Lobbying (Scotland) Act 2016.

The following rights 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.

**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 November 2019.

### **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 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
17/05/2018	1.0	
11/11/2019	2.0	Privacy Notice updated to include reference to the Data Protection Act 2018 and the definition of special category data. 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 formatting changes with the deletion of the sections on .