

SPCB Privacy Notice

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

Website live chat

This service allows enquirers to ask questions and receive answers in real time through the Scottish Parliament website.

The categories of information processed

For live chat, we process **normal category** data such as your name, if you chose to provide it. The system captures IP addresses, and contact details (telephone numbers, email or postal addresses) or postcodes may be provided as part of the enquiry exchange. Depending on the subject-matter of the enquiry, we may also process ***special category** data, for example, information about health, sexual orientation or religious or political beliefs.

*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.

Source of the information

Personal information is provided to us by individuals (known as "data subjects") or by someone contacting us on their behalf.

The purpose of the processing

We process the personal information provided in order to answer the enquiry.

The legal basis of processing

We must have a legal basis for processing personal data (including normal and special category data) in terms of Article 6 of the General Data Protection Regulation (GDPR). To process special category data, we also require a separate condition for processing in terms of Article 9 GDPR.

The legal basis for processing personal information for the purposes of the website live chat (including both normal and special category personal data) is that it is carried out in the legitimate interest of the Scottish Parliamentary Corporate Body (SPCB). The legitimate interest is engagement with the public (Article 6(1)(f) GDPR).

For special category data, processing relates to personal data which has been manifestly made public by the data subject (Article 9(2)(e) GDPR).

Finally, personal information from the website live chat may be shared with the police and security forces if the chat contains threats, abusive language or indications of illegal activities. The legal basis for sharing information in these instances is that it is in the legitimate interest of the SPCB to do so, in accordance with Article 6(1)(f).

Data processing and data sharing

The Scottish Parliament uses the company WebsiteAlive to provide its live chat service. WebsiteAlive are a data processor for the SPCB and has access to the information about contacts made through live chat until these have been deleted from the system, but it will not access our records without our prior consent and does not use any information within our account.

WebsiteAlive is based in the United States and services are hosted through Amazon Web Services in a cloud-based server. Information about its data security can be found on the [WebsiteAlive website](#)

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

Retention of data

Information about contacts made through live chat is held on the WebsiteAlive system for no more than seven days. It is then deleted after statistics and transcripts have been extracted.

Some information is exported from the system, edited and held electronically by the Scottish Parliament as a record of enquiries for reference and statistical purposes.

The information exported is: Chat ID (the reference number); operator name (the member of staff answering the enquiry); the time the enquirer made their request, the time it was accepted and the time it ended; the chat length; the question; the browser used to access the site; the referrer (the website used to reach the live chat service); the Launch URL (the Scottish Parliament webpage from which the chat button was accessed); the number of Scottish Parliament webpages visited by the enquirer; time spent on the site by the enquirer; the chat content; who ended the chat (the operator or the enquirer).

The information exported includes names (where provided) within the transcripts of the enquiry exchanges, but all contact details and special category information are deleted. The edited transcripts are held for two years, then anonymised or deleted.

The IP address associated with an enquiry is held within the WebsiteAlive system until the information on the chat is deleted. IP addresses are not extracted for statistical purposes and will be deleted from the system within seven days, unless the content of a chat is offensive or raises concerns about security. In such cases, the full details of the chat, including the IP address, may be exported and may be shared with the police or security forces. It will be deleted only when the matter has been concluded.

We do not hold information on enquiries that are not answered by – or are rejected by – a Scottish Parliament operator.

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.

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.

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
- 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.

Objecting to how we may use your information – Where we process your personal data based on 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.

Children and Young People Safeguarding and Child Protection

In line with the principles underlying the National Guidance for Child Protection in Scotland (2014), published by the Scottish Government, our staff may report a concern to the relevant authorities if they come across an issue during their work which causes them to think that a child may be at risk of abuse or harm.

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 November 2020 and will be reviewed within 12 months if not updated prior to that.

Contact information and further advice

If you have any questions about the way in which we process personal information, 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 and in British Sign Language through [contactSCOTLAND-BSL.](#))

Email: 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	
05/08/2020	2.0	Privacy Notice updated to include reference to special category data in terms of the General Data Protection Regulation. To include changes to the section on "The legal basis for processing" to include the condition for processing special category data. To include removal of the section on "Transfer of data" and minor formatting changes.
10/11/2020	3.0	Privacy notice updated to include section titled "Children and Young People Safeguarding and Child Protection".