

SPCB Privacy Notice

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

Complaints about Scottish parliamentary staff or services

The categories of information processed

For complaints, we process the following “normal category” information: names, email addresses, postal addresses and/or telephone numbers. Depending on the nature of the complaint, we may also process information that is defined by the General Data Protection Regulation (GDPR) as a “special category”, for example, information about health, sexual orientation or religious or political beliefs.

Source of the information

Personal information is provided to us directly by individuals (“data subjects”) or by someone contacting us on their behalf.

The purpose of the processing

We process any personal information provided in order to deal with the complaint submitted about the Scottish Parliament’s staff or services. We also use the information in complaints in order to review and improve our services and facilities.

The legal basis for processing

We process the personal information provided in relation to complaints because we have to comply with the complaint handling procedures of the Scottish Public Services Ombudsman (SPSO). These procedures were established through powers under the Scottish Public Services Ombudsman Act 2002, as amended by the Public Services Reform (Scotland) Act 2010. The processing is therefore necessary to comply with a legal requirement to which the SPCB is subject, in accordance with Art 6(1)(c) GDPR.

Data sharing

Personal information you provide in relation to a complaint may be shared internally with other departments within the Scottish Parliament if this is required in order to deal with the complaint.

If you decide to take your complaint to the SPSO, we will share with the Ombudsman any information required as part of their investigation.

Although we publish on our website statistics about complaints and examples of actions taken as a result of complaints, we will not publish any personal details or any information that could identify individuals.

Retention of data

Information about complaints is stored electronically for two years from the date of our last response, after which it is deleted from our systems. Some of our software systems are currently under review, after which this privacy notice will be amended where necessary.

If they do not identify members of staff, complaints received as emails or online forms are added to our electronic complaints system and then deleted; complaints received in hard copy are scanned, added to our electronic systems and then destroyed. Any correspondence relating to such complaints is also stored on our electronic systems.

If they identify members of staff, complaints and all correspondence relating to them are stored by the relevant office electronically with security markings to restrict access or as hard copies in a locked drawer/cupboard. All such documentation will also be deleted, destroyed or anonymised two years after the date of our last response.

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.

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 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.

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.

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 and 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	
10/11/2020	2.0	Privacy notice updated to include section titled "Children and Young People Safeguarding and Child Protection".