

SPCB Privacy Notice

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

Promotion of Private Bills (Promoters and Agents)

The categories of information processed

Scrutiny of Private Bills is a public process and you are required to provide a certain amount of personal data as part of the Bill and the accompanying documents. This includes the name of the promoter (and agent, if applicable). We will also expect you to provide us with contact details for individuals representing the promoter or agent. The Private Bill and the promoter's statement on legislative competence must be signed.

In addition the Bill or accompanying documents may include personal data, including special categories of personal data, depending on the circumstances.¹

Source of the information

Personal data is provided to us directly by anyone seeking to introduce a Private Bill (the promoter), or by an agent acting on the promoter's behalf.

The purpose(s) of the processing

We will use names, addresses, email addresses and telephone numbers for the purpose of contacting you about the content of the Bill, or to provide information or advice on parliamentary procedure or the Private Bill's progress.

The name of the promoter (and agent, if applicable) will be published (on the Bill and accompanying documents) on the Parliament's website. We will also distribute copies of the Bill and accompanying documents to premises where it may be inspected by the public.

We will not publish other personal data supplied (such as promoter or agent contact details) that you provide to us but which is not included in the Bill or accompanying documents.

If we consider that the Bill or an accompanying document contains any defamatory or abusive material, or any statement about another person which constitute special categories of personal data about that person or may identify that person (unless the document is accompanied by evidence that the person consents to the statement being made) we may contact you and invite you to amend the document and/or may have that data or material redacted before the document is published.

¹Special Categories of data include race; ethnic origin; political views; religion; trade union membership; health or sexual orientation

The legal basis of processing

The Scottish Parliamentary Corporate Body (SPCB) processes any personal data it obtains in accordance with the requirements of the General Data Protection Regulation (EU) 2016/679 (the GDPR), the Data Protection Act 1998 (the DPA) and any Acts that replace the Data Protection Act 1998.

The UK Parliament is currently considering a Bill that is intended to replace the Data Protection Act 1998 and is referred to as the Data Protection Bill (DPB). The GDPR comes into force on 25 May 2018 which means that its provisions will apply from that date. In this document we are using GDPR terminology and requirements. If you have any questions about how the Data Protection Act 1998 applies to this process for the time period leading up to the 25 May 2018, please contact us using the details below.

The legal basis for the processing of personal data is that it is necessary for the performance of a task carried out in the public interest or in the substantial public interest in accordance with Art 6(1)(e) GDPR, s8(d) or Art 9(2)(g) GDPR, s10 and para 6 of Schedule 1 to the DPB. The task is facilitating effective scrutiny of a Private Bill, which is in the public interest. Should it be necessary or appropriate for the Bill to contain special category data, the processing of that special category data is in the substantial public interest.

Data sharing

The personal data supplied with the Private Bill is shared internally with other departments within the Scottish Parliament where necessary. We may also share that data with an assessor (if relevant), for the purpose of enabling the assessor to make practical arrangements with the promoter (or agents) in connection with the assessor's functions.

We may share that personal data with objectors (or their agents) but only with your express consent.

When a Private Bill receives Royal Assent, is withdrawn or rejected or falls, the published versions of documents provided by promoters (or agents) are retained by the Parliament as part of the public record. They are then transferred to the National Records of Scotland for archiving purposes, in line with the SPCB Records Management Retention policy.

For the transfer of data to the National Records of Scotland, the legal basis is that it is necessary for archiving purposes in the public interest (Art 6(1)(e) GDPR, s8(d)DPB or Art 9(2)(j) GDPR, s10(1)(e) DPB).

Retention of data

For the purpose of supporting the Private Bills process, the personal data you provide with the Bill is held on servers at the Scottish Parliament with restricted and appropriate access.

If the Private Bill receives Royal Assent, or if the Bill is withdrawn or rejected, this personal data will be deleted as soon as possible after that. Our record management policy for storing signed hard copies of documents is currently under review. This Privacy Notice will be updated accordingly once that review is complete.

If the Bill falls at the end of the session, this personal data will be retained until the end of the period allowed under the Parliament's standing orders for a new Private Bill to be introduced in the next session. If no such Bill is introduced, the data will be destroyed as soon as possible thereafter. If a new Bill is introduced, the data will continue to be retained until (a) that Bill receives Royal Assent, is rejected or withdrawn, in which case it will be destroyed as soon as possible thereafter, or (b) that Bill falls at the end of the session, in which case it will again be retained as already described.

When a Private Bill receives Royal Assent, is withdrawn or rejected or falls, the published versions of documents provided by promoters (or agents) are retained by the Parliament as part of the public record. They are then transferred to the National Records of Scotland for archiving purposes, in line with the SPCB Records Management Retention policy.

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.

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 17 May 2018.

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



HAPPY TO **TRANSLATE**

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