

SPCB Privacy Notice - Complaints about use of resources under the Reimbursement of Members' Expenses Scheme

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

Dealing with complaints about the use of resources under the Reimbursement of Members' Expenses Scheme

The Categories of Information processed

Normal category data is processed which includes your name, address, telephone number and email address: The data is processed for:

Any individual who raises a complaint about the use of resources under the Members' Expenses Scheme.

Source of the information

Personal data is provided to us directly from individuals wishing to make a complaint (known as data subjects) through:

Their complaint in either hard copy or electronic format.

The purpose(s) of the processing

During the course of our work we collect/use personal data for the purposes of considering complaints raised about the use of resources under the Reimbursement of Members' Expenses Scheme and responding to complainants about their complaints.

The Legal basis of 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 processing is necessary as part of our function in the payment and governance of expenses under the Members' Expenses Scheme. 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 in terms of Article 6 (1)(e) and section 8(d) DPA.

Data sharing

Where necessary, personal data is shared internally within the Scottish Parliamentary Service.

Retention of Data

Personal information is held securely on Scottish Parliament IT systems. All complaints and any supporting documentation are retained till the end of the Parliamentary session in which the complaint was made plus 6 years, in accordance with the Scottish Parliament records management policy.

Your rights

Data protection legislation sets out the rights which individuals have in relation to personal data held about them by data controllers. Applicable rights are listed below, although whether you will be able to exercise data subject rights in a particular case may depend on the purpose(s) for which the data controller is processing the data and the legal basis upon which the processing takes place.

For example, the rights of deletion or erasure (right to be forgotten) and data portability do not apply where personal data is processed for the performance of a task carried out in the public interest. The right to object to the processing of personal data for the purposes of a public interest task is restricted if there are legitimate grounds for the processing which override the interest of the data subject.

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 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 to 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 20 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

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: <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	
20/08/2020	2.0	Privacy Notice updated 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.