

## **SPCB Privacy Notice**

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

### **Data Breach Reporting**

#### **The Categories of Information processed**

Normal category data, as defined by the General Data Protection Regulation e.g. names, addresses and telephone numbers.

Special Category data, as defined by the General Data Protection Regulation such as race; ethnic origin; political views; religion; trade union membership; health or sexual orientation.

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

Depending on the nature of the data breach, the source of the data can be internal and relate to employees of the Scottish Parliament Corporate Body or it could be provided directly or indirectly to us by an external party.

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

The purpose of processing personal data which was subject to a data breach is to enable the Scottish Parliamentary Corporate Body to report any data breach to the Office of The UK Information Commissioner and to communicate if appropriate with the data subjects involved

#### **The Legal basis of Processing**

The legal basis of processing is that it is a legal requirement based for data controllers to report on any data breach within 72 hours of being made aware of a data breach incident. The processing is therefore necessary to comply with a statutory obligation to which the SPCB is subject (Art 6(1)(c) GDPR. The processing of special category data is necessary for reasons of substantial public interest in accordance with Art 9(2)(g) GDPR. Being able to investigate data breaches and review and respond to the breach to its full extent is in the substantial public interest.

#### **Special category data**

The consequences of not processing the personal data in the event of a data breach would mean that the requirement to inform the ICO and affected data subjects could not be undertaken.

#### **Data sharing**

The data may be shared with the Information Commissioner's Office.

#### **Retention of Data**

Any normal or special categories of personal data involved in a data breach will be securely deleted immediately after reporting to the ICO or to data subjects – i.e. within 72 hours of an incident taking place unless the data needs to be held for different purposes.

## **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 [25 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](mailto:dataprotection@parliament.scot)



HAPPY TO **TRANSLATE**

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