

## **SPCB Privacy Notice**

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

### **General enquiry correspondence including to education, outreach and gaelic contact email addresses**

Enquiry correspondence by email to:

- [info@parliament.scot](mailto:info@parliament.scot)
- [education.services@parliament.scot](mailto:education.services@parliament.scot)
- [education.outreach@parliament.scot](mailto:education.outreach@parliament.scot)
- [outreach.services@parliament.scot](mailto:outreach.services@parliament.scot)
- [gaidhlig@parliament.scot](mailto:gaidhlig@parliament.scot)

letters to 'The Scottish Parliament'  
and texts to 07786209888

### **The categories of Information processed**

For enquiry correspondence, we process the following “normal category” information: names, email addresses, postal addresses and/or telephone numbers. Depending on the subject-matter of the enquiry and what information is provided by the enquirer, 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 by individuals (“data subjects”) or by someone contacting us on their behalf. Enquiry correspondence may be sent to us by email, by letter or by text message.

### **The purpose of the processing**

We process any personal information provided in order to answer the questions asked or in order to provide relevant contact details if the enquiry needs to be redirected.

### **The legal basis for processing**

For enquiries that contain normal category data only, the legal basis is that it is a task carried out in the public interest (Art 6(1)(e) GDPR; section 8(d) Data Protection Bill/Act, exercise of a Crown function). The task is to enable members of the public, organisations or any other third party to contact the Scottish Parliament with an enquiry.

For enquiries containing special category information, the legal basis for the processing may be that the personal information processing is necessary for reasons of substantial public interest. The public interest is compliance with statutory equality requirements. (Art 9(2)(g), S10(3) and Part 2 Schedule 1, para 6 DPB, s29(7) Equality Act 2010.)

A service provider must make reasonable adjustments. In some cases, processing special category personal information enables us to make these reasonable adjustments.

The processing does not interfere with the rights of the data subjects disproportionately because they provide the information themselves, they are not under an obligation to provide it to us and we keep it only for the minimum time necessary to comply with the statutory obligation.

For enquiries containing other special category data that does not relate to an Equality requirement, the legal basis for processing is that it is necessary for the performance of a task carried out in the substantial public interest (Art 9(2)(g), Art 10(3) of and para 6 of Schedule 1 to the GDPR). The task is to facilitate an accessible and restriction-free way of access for members of the public to engage with the Parliament and send enquiries about any subject. The accessibility of the Parliament as a public body that represents the Scottish public is in the substantial public interest.

The processing does not interfere with the rights of the data subjects disproportionately because they provide the information themselves, they are not under an obligation to provide it to us and we keep it only for the minimum time necessary to respond to or otherwise deal with the enquiry.

## **Data sharing**

Personal information may be shared internally with other departments within the Scottish Parliament if this is necessary in order to deal with the enquiry.

It may also be shared with MSPs, MPs or Scottish Government officials if they are a more appropriate contact for the enquiry, but only with the consent of the enquirer. We will contact you to seek your consent if you have not indicated your clear consent in your original enquiry.

It may also be shared with the police and security forces if the correspondence contains threats, abusive language or indications of illegal activities. In these cases, the legal basis for sharing your information is that it is in the legitimate interest of the SPCB in accordance with Art 6(1)(f) GDPR.

Enquiries that are received by text message are processed through a system operated by Esendex. Information is held securely on its servers, and can be

accessed only by a limited number of Scottish Parliament staff, using a username and password. It can also be accessed by the provider, with the consent of Scottish Parliament staff, in order to resolve technical issues, if required.

For more information on Esendex's privacy policy, go to:

<https://www.esendex.co.uk/privacy-policy>

## **Retention of data**

When personal information is given in letters or emails, the enquiry and response will be held for no more than two years. Emails and the responses to letters are stored electronically and then deleted; hard copies of letters are stored in a locked cupboard and then destroyed.

If correspondence includes personal information belonging to any of the special categories, we hold this only until we have responded to the enquiry, unless it would be appropriate to transfer correspondence received in hard copy to an MSP or MP to take forward as casework. If a letter could be transferred to an elected representative, we will hold the correspondence until we have transferred it (with the enquirer's consent) to the representative selected; if we do not hear from the enquirer, we will hold it for one month from the date of our response then shred it.

Enquiries and responses to text messages are held electronically on the Esendex system. These are deleted no more than one month from the date of our response or from the date the message was received if no response is required. This means that they can no longer be viewed by Parliament staff. Inbound messages are held in the system for around 13 months and then deleted; the mobile number and our response are held in the system for two years from the date of sending and then deleted.

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



HAPPY TO **TRANSLATE**

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