



STANDARD COMMISSION Data Protection Policy

Any personal data held by the Commission will be processed in accordance with the Principles set out below :

1. The Standards Commission for Scotland (“Standards Commission”) will only process personal data fairly and lawfully.
2. The Standards Commission will only process personal data in relation to its statutory duties, or in relation to its staff and Members, or those who supply goods and services.
3. The Standards Commission will obtain and retain only personal data that is necessary to fulfil its statutory functions, its responsibilities as an employer and the operation of an efficient and effective office.
4. The Standards Commission will at all times strive to ensure that personal data is accurate.
5. The Standards Commission will retain data for the time periods set out below. The time periods are considered as the longest necessary time to retain the relevant data.
 - **In relation to complaints, the Standards Commission will retain personal data in accordance with the timescales set out below.**
 - a) Data in respect of investigated complaints where the CESPLS determined there had been a contravention of a Code of Conduct and the Standards Commission determined to take no action will be kept for five years from the date of decision by the Standards Commission.
 - b) Data in respect of complaints where the Standards Commission referred the case back to the CESPLS for further investigation and then no action was taken will be kept for 1 month from the month from the final date of review by the Standards Commission.
 - c) Data in respect of investigated complaints where there was a Hearing will be kept for 5 years from the date of the Written Decision.
 - d) The Respondent and Complainant will be named in the Written Decision. However, if the complainant is not a councillor, member of a board of a devolved public body or MSP, their name will be redacted from decisions published on the Standard Commission’s website.
 - **In relation to personal data relating to recruitment processes, the Standards Commission will retain personal data in accordance with the timescales set out below:**

- a) For job applicants who do not return a completed application pack, personal data will be retained for 3 months from the closing date detailed in the advertisement.
 - b) For applicants who are not interviewed, the Standards Commission will retain the relevant personal data for 6 months from the closing date detailed in the advertisement.
 - c) For applicants who are interviewed but not selected, the Standards Commission will retain the relevant personal data for 12 months from the date of interview.
- **Other data will be retained in accordance with the Standard Commission's Retention Schedules.**
6. The Standards Commission will only process personal data in accordance with its registered purposes.
7. The Standards Commission will ensure data is held securely and follows the IT Security procedures as provided by the Scottish Parliamentary corporate body. For example
- Papers are locked away at the end of the working day.
 - Any member of staff who has permission to work at home must have secure storage for Standards Commission papers or electronic files containing personal data and must confirm that no member of their family, friends or visitors to their home can obtain access to these papers or files.
 - Access to the Standards Commission's IT system is by way of passwords that are changed regularly.
 - Each personal computer defaults to locked access if the user is away from their desk for more than 5 minutes and cannot be accessed without the use of a personal password.
 - Any contractor or service provider who has access to personal data held by the Standards Commission must sign a statement of confidentiality.
8. The Standards Commission transfers payroll and pension information and, in doing so, it ensures the providers of the payroll and pensions service receives encrypted personal data which is solely for the Standards Commission's purposes, in line with the Department of Work and Pensions and the Ministry of Justice policies and procedures.
9. The Standards Commission does not transfer any other data and will ensure that no contractor or provider of service transfers data collected by the Standards Commission and used for the Standards Commission's purposes without making sure that the transfer meets the requirements of the Data Protection Act 1998.

Responsibility for Data Protection Compliance.

- The Executive Director is responsible for data protection compliance in the Standards Commission.

- The Standards Commission is registered as a data controller with the Information Commissioner.
- Individuals who are the subject of data held by the Standards Commission can submit a request to access it. Such requests will be dealt with in accordance with the Data Protection Act 1998.

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Document Control & Version information

Summary of changes made to the document				
Date	Action by (initials)	Version Updated	New Version number	Brief Description <i>(for example – corrected typos – whole document; updated para. 1 – revised, reformatted, Corporate Branding)</i>
25/06/15	SCS	V1	N/A	Data Protection Policy
04/09/15	EM	V1	V2	Include document control and version information