DATA PROTECTION POLICY

1 Introduction

1.1 The General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA) regulate how personal information should be used by all organisations and businesses and your rights, as the subject of the personal information, are clearly set out, transparent and auditable. The Standards Commission for Scotland (Standards Commission) is fully committed to complying with the GDPR and DPA and will use your personal information in accordance with the requirements stated in the GDPR and DPA.

2 Policy Statement

2.1 The Standards Commission is registered as a data controller with the Office of the Information Commissioner. In general terms we collect and use certain types of personal information about individuals who are involved in the activities of the Standards Commission. This may include our work in promoting the Codes of Conduct and ethical standards framework; our statutory functions (including the holding of Hearings); current, past and prospective employees or appointment as a Member of the Standards Commission; or dealing with, or responding to, enquiries.

2.2 We will make sure that your personal information is used in accordance with the data protection principles to ensure it is:

- used fairly, lawfully and transparently
- used a way to enable us to fulfil our statutory functions, our responsibilities as an employer and in the operation of an efficient and effective office
- accurate and, where necessary, kept up to date
- kept no longer than is necessary
- handled in a way that ensures appropriate security, including protection against unlawful or unauthorised processing, access, loss, destruction or damage

2.3 Comprehensive information about our use of your personal information is provided in our Data Protection Privacy Statement which is available **here.**

3. Your rights

3.1 As detailed in the GDPR and DPA you have the right to find out what information we hold about you. This covers the right to:

- be informed about how we use your personal information
- have access to your personal information

- have incorrect personal information updated
- ask for your personal information to be erased / deleted
- ask us to stop or restrict our use of your personal information
- obtain a copy of the personal information we hold to allow you to reuse this data for different services
- object to how we process your data (but only in certain circumstances)

4. How do we demonstrate compliance with the data protection principles?

4.1 We achieve this by:

- observing the conditions about fair collection and use of personal information
- meeting our legal obligations to specify the purposes for which your personal information is collected and used
- collecting and processing personal information only to the extent that it is required to fulfil our operational purposes or to comply with legal requirements
- putting in place adequate processes to ensure the quality of the personal information
- retaining your personal data for the length of time necessary to fulfil our operational purposes and take into account the amount, nature and sensitivity of the personal data, the potential risk from harm from unauthorised use or disclosure of personal data and the purposes for which the personal data is being processed. The retention periods which we apply are set out in our document retention schedules
- ensuring all the rights of individuals, about whom we hold personal information, can be fully met
- taking all appropriate technical and organisational security measures to safeguard personal information, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage
- ensuring that the personal information held by us is not transferred to areas outside the European Economic Area without appropriate standards being put in place
- providing mandatory training on the GDPR and show evidence that this has been completed
- if required, we will ask for consent to use your personal information and that there is auditable evidence of your approval of this agreement. Where we have asked for your consent to process your data you may withdraw your consent at any time, just by letting us know of your decision.
- using privacy by design reviews and data protection impact assessments for all new data processing activities, projects and engagement which involve the processing of personal information

5. What personal information do we hold about you?

5.1 You can write to us to ask what personal information we hold. This process is called making a Subject Access Request. This can be sent to us by email at enquiries@standardscommission.org.uk

or by post to:
Executive Director
The Standards Commission for Scotland
T2.21, Scottish Parliament
Edinburgh
EH99 1SP

6. How long will it take to get the details?

6.1 You should receive details about the personal information we hold as soon as possible and within 1 month of receiving your request.

6.2 In certain exceptional circumstances, for example particularly complex or multiple requests, we can take a further 2 months to provide your personal information. In this case we will tell you about the delay within one month of receiving your request and provide reasons about why this delay has happened.

7 Is there a cost involved in making a Subject Access Request?

7.1 Requests for personal information are usually free. However, in certain circumstances, we can charge an administrative cost if:

- you are asking for a large amount of information
- your request will take a lot of time and effort to process.

8 How to complain about our use of your personal information

8.1 If you think your data has been misused or that we have not kept it secure you should contact us by email at enquiries@standardscommission.org.uk or write to the Executive Director, Standards Commission for Scotland, T2.21, Scottish Parliament. Edinburgh, EH99 1SP.

8.2 If you are unhappy about our response you should get in touch with our Data Protection Officer (DPO) during office hours by telephoning 0131 348 6080 or by email to DPOservice@parlaiment.scot

8.3 Furthermore if, following contact with the Executive Director and our DPO, you are not satisfied that the data protection issue has been resolved you should contact the Information Commissioner's Office about your concern. They can investigate your claim and take action against anyone who they find has misused your personal information. Details about the Information Commissioner and how to make a complaint can be found at www.ico.org.uk or email casework@ico.gov.uk or telephone 0303 123 1113.

Document Control & Version information

Summary of changes made to the document				
Date	Action by (initials)	Version Updated	New Version number	Brief Description *(for example – corrected typos – whole document; updated para. 1 – revised, reformatted, Corporate Branding)*
25/05/18	ET	2018 v1	N/A	Data Protection Policy (GDPR 2018 compliant)
24/01/19	ET	2019 v1	N/A	Review and format update