

DATA PROTECTION INFORMATION REGISTER

What information do we hold, why and for how long?

ETHICAL STANDARDS FRAMEWORK: REPORTS SUBMITTED TO THE STANDARDS COMMISSION

Notification of Breach of the Councillors' or Members' Code of Conduct

<p>What information do we hold about you?</p>	<ul style="list-style-type: none"> • Under a data sharing agreement with the Commissioner for Ethical Standards we would usually be provided with your name, email and or postal address, contact telephone number and, if relevant, your job title, and the organisation you represent. • Any information you give us (which may or may not be personal information).
<p>What do we do with your information?</p>	<ul style="list-style-type: none"> • We use the information to contact you about the Standards Commission review and decision about whether a Hearing will or will not be held. • We use the information to help us decide if a breach of the Councillors' or Members' Code has occurred. • The information is held electronically in a secure area on our IT network and in hard copy files.
<p>Who do we share your personal information with?</p>	<ul style="list-style-type: none"> • Some personal details will be provided in the notification and decision letters issued to parties involved in the case, including: <ul style="list-style-type: none"> • the Commissioner for Ethical Standards. • the Chief Executive, Monitoring Officer / Standards Officer of the public authority: and • the complainant. • If you are the Respondent in a case, your name will appear in our website, the Decision, Press Release and Standards Update. • If you are the Complainer and a senior officer or employee within a public body your name may be published in the Decision. • If you appeal our sanction or decision to the Sheriff Principal, we will share your information with our solicitors. Your name may also be published following the outcome of your Appeal.
<p>Why are we allowed to do this with your personal information?</p>	<ul style="list-style-type: none"> • To fulfil our regulatory functions and in accordance with our Hearing Rules.
<p>How long do we keep your personal information for?</p>	<ul style="list-style-type: none"> • The Decision of the Standards Commission will be destroyed 5 years after the date of the Hearing or review and the details about the case and written decision will be removed from the website., • The productions, general administrative files, press releases and articles are destroyed one year after the Hearing decision was issued. • Files compiled for an appeal case are destroyed at the end of the month following the date that the final judgement is issued.

	<ul style="list-style-type: none"> If decision is not to hold a hearing this outcome will be published on our website and thereafter it will be removed after 5 years of the date of decision.
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Reports from the Commissioner for Ethical Standards in Public Life in Scotland (ESC determines No Breach)

What information do we hold about you?	<ul style="list-style-type: none"> Under a data sharing agreement with the Commissioner for Ethical Standards we may provide or receive personal details which include, if appropriate, your name, job title, contact address including email or postal address.
What do we do with your information?	<ul style="list-style-type: none"> We may ask the Commissioner to provide further information.
Who do we share your personal information with?	<ul style="list-style-type: none"> We may share information which we receive from you with the Commissioner.
Why are we allowed to do this with your personal information?	<ul style="list-style-type: none"> To fulfil our regulatory functions
How long do we keep your personal information for?	<ul style="list-style-type: none"> Personal information and details about the case are deleted following a review of the report by the Standards Commission.

PROMOTION: STANDARDS COMMISSION and the ETHICAL STANDARDS FRAMEWORK

Visiting our website:

What information do we hold about you?	<ul style="list-style-type: none"> We use a third-party service, Google Analytics, to collect details of visitor behaviour patterns on our website. To do this, Google Analytics uses online identifiers, cookie identifiers*, IP addresses and device identifiers.
What do we do with your information?	<ul style="list-style-type: none"> We can monitor the use of our website by reviewing the statistical information provided by Google Analytics The Standards Commission cannot identify anyone who uses our website from the information produced by Google Analytics.
Who do we share your personal information with?	<ul style="list-style-type: none"> The information is anonymised and provided to the Standards Commission as statistical information detailing the number of visitors to the pages on our website.
What are we allowed to do this with your personal information?	<ul style="list-style-type: none"> The statistical information produced by Google Analytics is anonymised and therefore we do not hold the personal information of visitors to our website. If you do not want Google Analytics to collect this information about you, use Google's browser add-on to opt out of Google Analytics.
How long do we keep your personal information for?	<ul style="list-style-type: none"> This information will be held by Google Analytics until we stop using their service

*A note about cookies:

Our website also uses cookies, which are small computer files of letters and numbers that are downloaded to your user device (computer, tablet, smartphone, etc.) when you visit the website. Cookies allow the website to recognise your device each time you visit and provide us with data about how the website is being used. We cannot identify you from this information. We also provide links to third party organisations including Facebook and Twitter.

Receiving emails or other communications from us

What information do we hold about you?	<ul style="list-style-type: none"> We hold all or some of the following categories of information: Your name, email address, telephone number, postal address, your role and the organisation you work for.
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What do we do with your information?	<ul style="list-style-type: none"> We use this information to send emails or contact you by post or telephone.
Who do we share your personal information with?	<ul style="list-style-type: none"> We won't share this information with anyone else.
Why are we allowed to do this with your personal information?	<ul style="list-style-type: none"> For mailings about changes to the Ethical Standards law, Advice or Guidance Notes and our policies or procedures. We do this to fulfil our regulatory functions. We may send you mailings for the purpose of our legitimate interests, e.g. to send you details of our publications or to inform you about an event being provided by the Standards Commission. To fulfil our regulatory functions.
How long do we keep your personal information for?	<ul style="list-style-type: none"> For mailings about planned changes to ethical standards legislation, our policies, procedures or advice and guidance, for as long as you work in a role that requires you to know about such changes.

Using our enquiry services

What information do we hold about you?	<ul style="list-style-type: none"> The information you give us about yourself, including your name and contact details. In certain circumstances It is not always necessary to give us your name or contact details. For example when you make an telephone enquiry.
What do we do with your information?	<ul style="list-style-type: none"> We use your contact details to respond to your enquiry
Who do we share your personal information with?	<ul style="list-style-type: none"> We will not share your information with anyone (e.g. another public authority) unless you give us permission to do so.
Why are we allowed to do this with your personal information?	<ul style="list-style-type: none"> To fulfil our regulatory functions We have your consent
How long do we keep your personal information for?	<ul style="list-style-type: none"> Personal information will be retained until we have completed the process of dealing with, and responding to, your enquiry.

Attending an event organised by us

What information do we hold about you?	<ul style="list-style-type: none"> We will usually collect your name, email address, contact telephone number and, if relevant, your job title, and the organisation you represent. We may request details of any access or dietary requirements you have.
What do we do with your information?	<ul style="list-style-type: none"> To keep you informed in the run up to the event, and to share any relevant material following the event For registration purposes on the day (may include name badges). We may provide a delegate list to be shared with other attendees on the day to assist delegates to network with other attendees. Details of access or dietary requirements and breakout preferences will be used to enable us to best meet your individual needs at the event.
Who do we share your personal information with?	<ul style="list-style-type: none"> If an event partner is helping us run the event, we may share your details with that partner, but only for the purposes of that event. We will not share your information with anyone else.
Why are we allowed to do this with your personal information?	<ul style="list-style-type: none"> We have your consent
How long do we keep your personal information for?	<ul style="list-style-type: none"> The end of the business year which falls after the date of the event, thereafter the personal information held will be anonymised.

Responding to a Standards Commission consultation

What information do we hold about you?	<ul style="list-style-type: none"> The information you give us, including your name, contact details.
What do we do with your information?	<ul style="list-style-type: none"> We use your views to inform our consultation To keep you informed of the outcome of the consultation.
Who do we share your personal information with?	<ul style="list-style-type: none"> If an external partner is helping us run the consultation, or is helping us to translate consultation responses (e.g. BSL), we may share your details with that partner, but only for the purposes of that consultation. We will not share your information with anyone else.
Why are we allowed to do this with your personal information?	<ul style="list-style-type: none"> To fulfil our regulatory functions, or comply with a statutory duty We have your consent.
How long do we keep your personal information for?	<ul style="list-style-type: none"> A record of your consultation response is retained electronically. It will be destroyed one year after we report on the consultation.

ENQUIRIES:

Making a Freedom of Information request.

What information do we hold about you?	<ul style="list-style-type: none"> The information you give us, including your name, contact details.
What do we do with your information?	<ul style="list-style-type: none"> We use the information to contact you about your request, e.g. to seek clarification or provide you with the information you have asked for.
Who do we share your personal information with?	<ul style="list-style-type: none"> In order to comply with good practice we may have to ask a third party (e.g. a public authority) for their views on whether the information held can be disclosed. Wherever possible, we will do that without naming you.
Why are we allowed to do this with your personal information?	<ul style="list-style-type: none"> We are required by law to do it.
How long do we keep your personal information for?	<ul style="list-style-type: none"> If the response is comprehensive or involves a lot of information, the response will be held in a file. The contents of this file will be destroyed / deleted six months after the response is provided. If a request for review is received, the contents of the file will be destroyed six months after the review response is issued.

Asking us for the information we hold about you or exercising your data protection rights

What information do we hold about you?	<ul style="list-style-type: none"> The information you give us, including your name, contact details.
What do we do with your information?	<ul style="list-style-type: none"> We use the information to contact you about exercising your right. The information will be held on a securely.
Who do we share your personal information with?	<ul style="list-style-type: none"> Where you have asked for information we hold about you, we may have to ask a third party (e.g. a public authority) for their views on whether information can be disclosed. Where we have to do this, we will name you.
Why are we allowed to do this with your personal information?	<ul style="list-style-type: none"> We are required by law to do it.
How long do we keep your personal information for?	<ul style="list-style-type: none"> The file will be destroyed 40 working days after the response is issued if no request for review is received.

	<ul style="list-style-type: none"> • If a request for review is received, the contents of the file will be destroyed 6 months after the review response is issued.
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Complaining about the service you've received from our office

What information do we hold about you?	<ul style="list-style-type: none"> • The information you give us, including your name, contact details. • Comments we receive about your complaint.
What do we do with your information?	<ul style="list-style-type: none"> • The information is used to help us decide if the complaint should be upheld and what further action is required • We use the information to contact you about your complaint.
Who do we share your personal information with?	<ul style="list-style-type: none"> • We may give the person complained about a copy of your complaint (and other information you give us if it is relevant to your complaint). • If your complaint is not upheld you can make a further complaint to the Scottish Public Services Ombudsman (the SPSO) • If the SPSO is asked to consider the complaint we will give the SPSO details of your complaint, any information provided, comments about your complaint and details of our actions.
Why are we allowed to do this with your personal information?	<ul style="list-style-type: none"> • To allow us to perform a task that's in the public interest
How long do we keep your personal information for?	<ul style="list-style-type: none"> • The contents of case file will be deleted at the end of the business year which follows the date of the case closure.

EMPLOYMENT: SUPPORTING AND MANAGING OUR EMPLOYEES

Applying for a job with us

What information do we hold about you?	<ul style="list-style-type: none"> • The information you give us, including your name, contact details, information contained in your application form, in correspondence, information contained in references, identity information, timetables, evaluations and interview questions/tasks.
What do we do with your information?	<ul style="list-style-type: none"> • We use the information in the recruitment process
Who do we share your personal information with?	<ul style="list-style-type: none"> • We will share your name and details of the post applied for with referees • We may share your information with external employment advisers • We will share your name, details of the post applied for and your identity information with the Scottish Parliament's Security Office.
Why are we allowed to do this with your personal information?	<ul style="list-style-type: none"> • We have your consent • We are required by law to do it.
How long do we keep your personal information for?	<ul style="list-style-type: none"> • If unsuccessful and not selected for interview 3 months after the date of appointment of the successful candidate. • If unsuccessful, at interview, 6 months from the date of appointment of the successful candidate. • If successful, the information will be transferred to a staff member file. (See "Working for the Standards Commission" below.)

Appointment to or working for the Standards Commission

What information do we hold about you?	<ol style="list-style-type: none"> 1. Contact details, date of birth, next of kin, NI number, salary information, bank details, tax details, pension details, right to work documents, sickness absence records. 2. Maternity/paternity pay/adoption information/carer responsibilities 3. Members appointed to the Standards Commission by the SPCB we hold a copy of the appointment contract. 4. Contract of employment.
What do we do with your information?	<ul style="list-style-type: none"> • We use it for employment and reporting purposes.
Who do we share your personal information with?	<ol style="list-style-type: none"> 1. We will share relevant information with our payroll service provider, HMRC, pensions provider, childcare vouchers provider, SPCB. 2. We do not share this information (unless in an anonymised form) with third parties. 3. We will share relevant information with our payroll advisers and HMRC. 4. We will publish some information in the Annual Report and Accounts.
Why are we allowed to do this with your personal information?	<ol style="list-style-type: none"> 1. For the performance of a contract (i.e. your contract of appointment/employment). 2. We have your consent. 3. For the performance of a contract (i.e. your contract of employment). 4. For the performance of a contract (i.e. your contract of employment); for the conduct of legal claims.
How long do we keep your personal information for?	<ol style="list-style-type: none"> 1. Up to 7 years from termination of employment. 2. End of employment. 3. 3 years from the end of the relevant tax year. 4. Up to 40 years from termination of employment (Pension).

Contracting with the Standards Commission

What information do we hold about you?	<ul style="list-style-type: none"> • Personal information about you or your employees in tenders, contracts and correspondence.
What do we do with your information?	<ul style="list-style-type: none"> • Carry out tendering exercises. • Managing contracts. • Making payments in accordance with the terms of the contract.
Who do we share your personal information with?	<ul style="list-style-type: none"> • In the event of an issue with the contact, we may share information with our legal advisers.
Why are we allowed to do this with your personal information?	<ul style="list-style-type: none"> • For the performance of a contract.
How long do we keep your personal information for?	<ul style="list-style-type: none"> • 7 years following the termination of the contract.



Document and version control information

Summary of changes made to the document				
	Action by	Version Updated	New Version number	Brief Description
22/05/19	EM		2019 v1	Information about who, why, what and how long we hold personal details.