

PRIVACY NOTICE (Processing under the UK GDPR)

The Scottish Police Authority (SPA) respects your privacy and is committed to protecting your personal data. This Privacy Notice will tell you how we use your personal data when you visit our website or contact us in any other way and will tell you about your privacy rights and how the law protects you.

1. IMPORTANT INFORMATION AND WHO WE ARE

Purpose Of This Privacy Notice

This Privacy Notice aims to give you information on how we collect and process your personal data including any data you may provide through this website, that you provide to us through any other communication or that we receive from a third party. It is important that you read this Privacy Notice and any other privacy notice or fair processing information that we may provide on specific occasions, when we are collecting or processing personal data relating to you. This Privacy Notice is intended to be read together with other SPA notices and is not intended to replace them.

Controller And What We Do

The Scottish Police Authority (hereafter SPA) is a public authority that is vested by law (Police and Fire Reform Act 2012) to maintain policing, promote the policing principles outlined in the Act, deliver continuous improvement of policing and hold the Chief Constable to account.

SPA is the data controller and is responsible for your personal data (referred to as: "SPA", "we", "us" or "our" in this Privacy Notice).

We have appointed a Data Protection Officer (DPO) who is responsible for overseeing questions in relation to this Privacy Notice. If you have any questions about this Privacy Notice, including any requests to exercise your legal rights, please contact the DPO using the details set out below.

Contact Details

Data Protection Officer
Scottish Police Authority
SPAIM@spa.police.uk
1 Pacific Quay
Glasgow
G51 1DZ

2. THE DATA WE COLLECT ABOUT YOU

Personal data means any data about an individual from which that person can be identified, directly or indirectly, and which relates to them. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you in the following categories:

- **Identity Data** includes name, marital status, title, date of birth and gender.
- **Contact Data** includes address, email address and telephone numbers.
- **Financial Data** includes bank account and payment card details.
- **Technical Data** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website.
- **Profile Data** includes details of complaints, legal claims, independent custody visiting volunteer performance information, subject access request details, FOISA request details, general enquiry details.
- **Application data** includes information collected as part of recruitment process including application details and references, interview notes, information about your health or if you have had an accident at work, CVs, references
- **Professional data** includes details of third parties with whom SPA enters into contracts/receives services from/corresponds with for the purposes of its statutory functions/receives enquiries from.

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- **Usage Data** includes information about how you use our website

We may also process **Special Categories of Personal Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data) where necessary to carry out our legal obligations or exercise our legal rights. We may also process special category personal data where we have your explicit consent, where it is needed in the substantial public interest, where it is needed in relation to legal claims or where you have already made the information public.

Where processing is based on consent, that consent may be withdrawn at any time by contacting our Data Protection Officer at SPAIM@spa.police.uk.

We may also use data relating to **criminal convictions** where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations or where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

We do not knowingly collect data relating to children.

Where we need to collect your personal data by law, or to process your personal data under the terms of a contract we have with you and you fail to provide that personal data when requested, we may be unable to perform the contract that we have with you or that you are trying to enter into.

Data Accuracy

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us, by contacting us at the address provided in this notice.

3. HOW IS YOUR PERSONAL DATA COLLECTED?

We use different methods to collect personal data from you, or from other sources about you, including through:

- **Direct interactions.** You may give us your Identity and Contact Data by filling in forms or by corresponding with us by post, phone,

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email, or otherwise. This includes personal data you provide when you:

- Contact us by telephone or email
- Make a complaint
- Enquire in relation to volunteering
- Apply for a vacancy
- **Third parties or publicly available sources.** We may receive personal data about you from various third parties and public sources, such as:
 - your current employer or former employer
 - Police Scotland

4. HOW WE USE YOUR PERSONAL DATA

We will only use your personal data when the law allows us to do so. Most commonly, we will use your personal data in the following circumstances:

- Where it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in us.
- Where we need to perform the contract we are about to enter into or have entered into with you.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal or regulatory obligation.

Generally, we do not rely on consent as a legal basis for processing your personal data but, where we do, we will obtain your consent in a way that is valid under Data Protection Law (the Data Protection Act 2018 and the UK General Data Protection Regulation and any legislation that, in respect of the United Kingdom, replaces, or enacts into United Kingdom domestic law, the General Data Protection Regulation (EU) 2016/679, the Regulation on Privacy and Electronic Communications or any other law relating to data protection).

You will have the right to withdraw consent at any time by contacting us at SPAIM@spa.police.uk.

5. PURPOSES FOR WHICH WE WILL USE YOUR PERSONAL DATA

We will process your data only for the purpose for which it was collected. Data will not be processed for any other purposes that do not have any reasonable/compatible link with the purposes for which it was originally collected, except where required/permitted by law.

We have set out in Annex A a description of the ways we will process your personal data, and the legal basis we rely on to do so. We have also identified what our legitimate interests are, where appropriate.

Note that we may process your personal data in reliance on more than one lawful basis, depending on the specific purpose for which we are using your data.

6. COOKIES

A 'Cookie' is a small file that websites use to assist the web visitor (you) to navigate the site and access its various features. They also provide high level statistics to assist in improving the website experience.

The cookies used on this site do not store or access any information that could be used to identify you personally but are necessary to use the site to its full potential.

How do cookies work?

When you visit a website, cookies are placed on your user device. The cookies store information and send them back to the site you have visited. The cookies can be used to provide a profile of the places you visit on a website such as, what pages you visit and how long you spend on them. A website may use this information to tailor the pages that you see when you visit the site in future.

How to refuse the use of cookies

You may refuse the use of cookies by selecting the appropriate settings on your browser, however please note that if you do this you may not be able to use the full functionality of the website. By using this website, you consent to the processing of data about you in the manner and for the purposes set out above.

For further information on what cookies are and how to refuse them, you can visit the following website www.allaboutcookies.org

7. THIRD-PARTY LINKS

This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

8. DISCLOSURES OF YOUR PERSONAL DATA

We may have to share your personal data with the parties set out below for the purposes set out in the table in Annex A. In particular, we may share your data with:

- Police Scotland
- Police Investigations and Review Commissioner
- HM Revenue & Customs
- Our agents and advisors
- External Auditors
- Third party Service Providers to SPA

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions. The third parties are also required to comply with Data Protection Law.

9. DATA SECURITY

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a lawful basis to process your personal data. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

10. DATA RETENTION

How Long Will You Use My Personal Data For?

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting or reporting requirements.

To determine the appropriate retention period for personal data, we consider the purposes for which we process your personal data and the amount, nature, and sensitivity of the personal data used to fulfil that purpose, the potential risk of harm from unauthorised use or disclosure of your personal data, and whether we can achieve those purposes through other means, and the applicable legal requirements.

Details of retention periods for different aspects of your personal data are set out in our Records Retention Policy.

<https://www.scotland.police.uk/spa-media/nhobty5i/record-retention-sop.docx>

11. YOUR LEGAL RIGHTS

You have rights as an individual under Data Protection Law in relation to your personal data. Please click on the links below to find out more about these rights:

- Request access to your personal data (a data subject access request), which enables you to receive a copy of the personal information we hold about you and the check that we are lawfully processing it.
- Request correction of the personal data that we hold about you, to have any incomplete or inaccurate information corrected.
- Request erasure of your personal data, so that we delete or remove personal data where there is no good and lawful reason for us to continue to process it (although in some cases we can refuse this request where we can claim exemptions as a data controller).

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- Object to processing of your personal data where we are processing your personal data for direct marketing or where we are relying on a legitimate interest (of Apex Hotels or of a third party) and there is something specific to your particular situation which gives rise to your objection.
- Request the restriction of processing of your personal data, through the suspension of our processing, e.g. where you want us to establish its accuracy or the reasons for the processing.
- Request the transfer of your personal data to another party in an easily portable format.

If you wish to exercise any of the rights set out above, please contact our DPO at SPAIM@spa.police.uk

WHAT WE MAY NEED FROM YOU

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request, to speed up our response.

TIME LIMIT TO RESPOND

We are required to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

For more information and guidance about any of these rights, please go to the website of the Information Commissioner's Office at <https://ico.org.uk/>.

12. COMPLAINTS

If you are unhappy with the way in which any employee of the Scottish Police Authority has managed your personal data you may make a formal complaint to complaints@spa.police.uk

You also have the right to make a complaint about how we have dealt

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with your personal data at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues (<https://ico.org.uk/>).

13. CHANGES TO THIS PRIVACY NOTICE

We keep our Privacy Notice under regular review and reserve the right to update and amend it. This notice was last updated on 15 July 2024.

14. FURTHER INFORMATION

For further information about any aspect of this notice please contact our Data Protection Officer, SPAIM@spa.police.uk

Annex A

Category of individuals	Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
Job applicant	To consider your employment application	Identity Contact Application	Performance of a contract with you
custody visitor volunteer	To process your application to become a custody visitor volunteer	Identity Contact Application	Entering/Performance of a contract
custody visitor volunteer	To monitor custody visitor diversity	Identity Contact Special category	Consent
custody visitor volunteer	To monitor/review details of custody visits/rotas/expenses	Identity Contact Matter Finance	Statutory obligation
Member of the public	To deal with complaints	Identity Contact Matter Special category	Statutory obligation Consent
Member of	To deal with	Identity	Statutory obligation

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the public	FOISA requests	Contact Matter Special category	
Member of the public	To deal with SARs	Identity Contact Matter Special category	Statutory obligation
Local scrutiny conveners/Council leaders/other stakeholders	To contact external stakeholders for community accountability purposes	Identity Contact Professional	Public task/official authority
Employees of third parties	Contact with third party service providers, contractors, partners or any other external organisation	Identity Contact Professional	Performance of a contract with you Legitimate interests
Website visitor	To administer and protect our website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	Identity Data Usage data	Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise)

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Website visitor	To use data analytics to improve our website, products/services, marketing, customer relationships and experiences	Usage Data	Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
Members of the public	To review a dip sample of stop and search extracts	Identity Contact Special category	Public task/official authority Statutory purposes