



SCOTTISH POLICE
AUTHORITY
ÙGH DARRAS POILIS NA H-ALBA

PRIVACY NOTICE (Processing under the UK GDPR/Law Enforcement)

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.
- **Training Records/licences held** where relevant for the performance of a contract
- **Business Details** for the performance of a contract
- **Biometric Data** includes DNA and Fingerprint data where relevant

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 for the performance of an activity forming part of a contract.

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, email, or otherwise. This includes personal data you provide when you:
 - Agree a contract
 - Provide business cards
 - 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).

Where we rely on consent as the basis for processing, 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. 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 you data with:

- Police Scotland
- 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.

7. 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.

8. 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>

9. 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.

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- 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).
- 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 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

We may need to request specific information from you to help us confirm your identity. 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.

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/>

10. 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 with your personal data at any time to the Information Commissioner's

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Office (ICO), the UK supervisory authority for data protection issues (<https://ico.org.uk/>).

11. 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.

12. 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
Employees of third parties	Contact with third party service providers, contractors, partners or any other external organisation	Identity Contact Professional Biometric Vetting	Performance of a contract with you Legitimate interests Site security (sterile environment required for crime investigation)