

Privacy statement for the general public

This privacy notice tells you what Children's Hearing Scotland (CHS) does with the personal data that you provide. This notice is for the information of the general public (e.g. general enquiries, visiting the website, etc.), and will be relevant if you have done any of the following:

- Visited our websites or online portal
- Contacted us in relation to comments, suggestions or enquiries
- Made a complaint to us
- Subscribed to our newsletters or requested a publication from us

Some Key Phrases

Personal Data: this is any piece of data that either by itself or when taken with another piece of data makes you identifiable. It can be in any format.

Data Controller: this is the organisation or authority that takes ultimate responsibility for the data you provide. They can ask other parties to help process it, but they are responsible for ensuring that it is securely and properly managed.

Data Processor: this is any third party or agency that is brought in to process data on behalf of the Data Controller.

Data Subject: this is you, the person that the data is about.

1. Who is the Data Controller?

Children's Hearings Scotland (CHS) is the Data Controller for the information we hold about you. This means that once you have provided us with the information listed in the next section, CHS is ultimately responsible for ensuring its security, who sees it, where it goes, and when (and how) it is destroyed. Where you see "we," or "us," it refers to CHS as the Data Controller.

2. What information do we collect from you?

This section outlines the different types of information that we will ask you to provide. The information we record will depend on the nature of your engagement with CHS. More details about this can be found in the following section.

In most cases the personal data that we gather will be contact information so that we can process your request or complaint effectively. Because of this, the types of information that we gather will often be:

- your first and surname

- email address
- contact information (phone number, postal address, etc.)
- date of birth

Special Categories of personal data

Although it is unlikely that we would request sensitive data in the event of a general enquiry, we do recognise that this may come up in an enquiry or complaint. These sensitive details are referred to as 'special categories,' and include the following types:

- Race and ethnic origin
- Religion
- Sexual orientation
- Physical health
- Mental health
- Trade union membership
- Political opinions or affiliation
- Biometrics (fingerprints, for example)

When we are provided with this information we make sure that additional safeguards are put in place to protect your information, and to prevent unlawful discrimination. Under data protection law you have particular rights concerning the processing of your personal data. You can find out more in our 'Your Rights' document, available [here](#).

3. Why do we collect this data, and what do we do with it?

CHS has to have a legal basis for processing your information, and as a Public Authority, CHS is required by law to maintain certain data and report on other types. Most of your personal data is processed for administrative and management purposes, to meet our obligation to you in answering your request or complaint. We approach this as delivering on a contract to answer your enquiry. Some of your personal data may be processed as part of our public task and exercise of official authority under the Children's Hearings (Scotland) Act 2011.

Wherever we process special category personal data (see section 2) it will be with your explicit consent.

4. Who do we share this information with?

In order to meet our obligations to you we may have to share your information with selected partners. We will only share your data when there is a legal requirement to do so, and all partners and processing agencies are carefully vetted to ensure that they are GDPR-compliant as well. Where possible, we sign *Data Processor Agreements* with them that carefully spell out what data will be

shared, for what purpose and for how long. These agreements are used to ensure that they process your data securely, and only for the purposes that we have requested.

We share your information with IT and Communications service providers. This is so we can contact you when required

CHS uses Microsoft Office 365 for email communications. This is because Microsoft complies with the [Privacy Shield](#) framework, a certification programme that ensures that participants based in the United States (and all of their subsidiary and partner businesses) are following UK and EU regulations when it comes to the security of personal data. When we enter your email address, we are in effect sharing your data. If you agree to receive marketing materials from us, we will share your data with Campaign Monitor, our mass communications provider. Like Microsoft, they comply with the Privacy Shield standards.

We share your information with National and Local Government agencies and partners. This is so we can fulfil our obligations to you

CHS may need to share your information in order to gather the information that you have requested or to properly and effectively investigate a complaint or concern. Where possible we will remove personal data when it is not necessary for the completion of a request, for example, if you submit a Freedom of Information (Scotland) Act (FOISA) request, there is no legal requirement for CHS to share your personal details.

From time to time, we will share your information with lawyers commissioned by CHS to undertake work on our behalf. This is to enable them to fulfil their contracts with CHS

When the National Convener is required to intervene or investigate complex cases, or where there may be a conflict of interest, CHS will be required to share some personal data with an external legal advisor/solicitor or investigator. When possible, you will be informed in advance of this happening, and your consent will be gathered.

5. How long do we keep hold of your information?

We only keep information for as long as it is needed. For the majority of your data, this means that we destroy it after a specific period of time. There are some pieces of information that we must keep permanently, for either business continuity or historical value.

CHS operates a *Retention and Disposal Schedule* that shows exactly how long we can keep different types of information. This document also explains how we destroy different types of information, and the reason for processing the information in this way. To read this, please [click here](#)

Personal data surrounding general enquiries will be securely destroyed one year from the date of last correspondence. This means that if we reply to your request one week after you submit your enquiry, the destruction date will be one year and one week from your initial request. Data from complaints will be destroyed five years after the complaint is resolved. If within that five-year period you wish to return to the complaint, the time period starts over, and it will be five years from the date of the last correspondence on that specific complaint.



If you would like to discuss this, or would like to know more about our records retention schedule, please email us at information@chs.gov.scot

6. Further Information

Data Protection Officer

If you would like further information on how we handle personal data, to ask a question, or share a concern about how your data is handled, you can contact our Data Protection Officer.

Danielle Metcalfe

information@chs.gov.scot

T: (0131) 244 3696

3rd Floor

Thistle House

91 Haymarket Terrace

Edinburgh

EH12 5HE

Information Commissioner's Office (ICO)

If you feel that CHS has mishandled your information to an extent that cannot be adequately investigated or resolved 'in house' you can always contact the Information Commissioner directly.

To report the organisation, or register a concern about how your data has been managed, you can use the ICO's web forms: <https://ico.org.uk/concerns/>

For advice on data protection and your rights, you can send all queries to:

Information Access Team

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Or email them at: accessinformation@ico.org.uk