

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 inquiries, 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 Hearing 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. You can find more information on how to contact us in Section 6.

2. What information do we collect from you?

This section outlines the different types of information that we will ask you to provide. What 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 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.

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

Children's Hearing Scotland is required to gather personal data for a variety of uses. Below you will find an overview of what we do with your data. The speech bubbles provide information on what are referred to as the 'legal bases for processing.' We are required to tell you this, but you do not need to worry about remembering it or being able to recite it.

We use it for administrative and management purposes

Q: What is our legal basis?

A: We need to process your personal data to fulfil the contract you have entered into with us.

We process your data:

- To meet our obligation to you
- To keep an accurate record of your contact with us, and our handling of it
- To provide you with information and documentation relevant to the content of the request/complaint that you have made

We use it to meet our duty of care obligations:

We process your data:

- To meet our legal duty of
- To provide health services (example)
- To protect your vital interests (e.g. in a medical emergency)
- To comply with our statutory obligations under the Children's Hearings

Q: What is our legal basis?

A: We will process your data when it is necessary to comply with a legal obligation, protect vital interests in an emergency, exercise or defend legal claims or comply with court judgements, provide medical and health services, or protect public health.

to you and our legal

care to you (larger print reports, for interests or someone in an emergency) obligations, for example, (Scotland) Act 2011

We use it for public safety and the prevention

and detection of crime

Q: what is our legal basis?

A: We need to process your data where it is necessary for the prevention, investigation, detection or prosecution of criminal offences, including the safeguarding against and the prevention of threats to public security.

We process your data:

- To apply welfare, security and other measures where they are necessary for the safety and security of volunteers, the CHS community, and the wider public under health and safety and other relevant laws
- To comply with court ordered actions involving the police (e.g. if the police needed to know who attended a hearing, and provided us with a suitable warrant for that information, we would be required to tell them)
- When it is necessary for IT monitoring purposes - CHS emails

have 'gsi' in them, this means that they are on a secure

network provided by the Scottish Government, but it can be monitored for security purposes

We use it to promote our activities

We will process your data:

- To produce marketing materials that promotes the function and services provided by CHS, and the great work of our community of volunteers. This is most likely to involve the use of audio visual images or testimonials/quotes.

When this is the case, you will be informed that filming/photography/recording is taking place, and where possible your consent will be gathered.

Q: what is our legal basis?

A: Where we have your consent and/or where necessary for archiving purposes in the public interest.

Sometimes we use it for research and archiving

Q: what is our legal basis?

A: we will process your data when it is necessary for archiving purposes in the public interest, for scientific or historical research purposes or statistical purposes.

We will process your data:

- To retain any promotional materials that include data, such as images, of the CHS community
- To support research on CHS and the Children's Hearing System
- To produce management and statistical information to monitor and improve our performance and service provision to you

4. Who do we share this information with?

In order to meet our obligations to you we will, from time to time, 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 hold our partners to a very high standard and 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 MailChimp, 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.

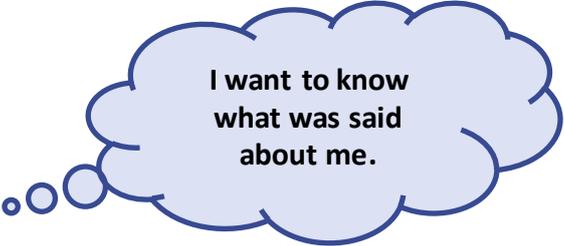
CHS operates a *Retention and Disposal Schedule* that shows exactly how long we can keep different types of information. This document also explains how we destroy different types of information, and the reason for processing the information in this way. To read this, please [click here](#)

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.gsi.gov.uk.

6. Your rights

Under the law, you as the *Data Subject*, have rights that can be exercised at any time in relation to your personal data:



I want to know
what was said
about me.

You have the right to request copies of the information we hold about you. This can include any images, copies of training transcripts, any email correspondence about you, and so on. This is called a *Data Subject Request*. You may be asked to provide ID to confirm that you are the *Data Subject*, and the information can be provided either electronically or in hard copy, depending on your preference.



I recently moved
house and I need
to update my
address.

You have the right to request that the *Data Controller* rectifies any inaccuracies in the data held about you. If you change banks, for example, CHS is required to ensure that your information is kept up to date.



I don't want to
receive newsletters
anymore.

You have the right to request the erasure of your data. This is more commonly known as '*the right to be forgotten*'. For example, you may wish to have an email exchange you were involved in removed, or ask to be removed from a mailing list.

***NOTE:** due to our statutory obligations listed above, it is not always possible to completely erase an individual's data. Where this is the case, you will be informed as soon as possible.*

I don't want you
to use my data
that way.

You have the right to request the restriction of processing of your data for a given purpose, or to object to the process taking place altogether. For example, if you do not wish to have your data included in equality monitoring reports, or wish to have a quote attributed to you on the CHS website removed.

You do not need to quote your rights, or any part of the legislation, to enact them. To make sure that your request is processed properly, or to find out more about them you should contact the *Data Protection Officer*, whose details are listed below. You can also contact the representative of the controller - the Chief Executive of CHS.

Data Protection Officer:

Information Governance Team
information@chs.gsi.gov.uk
T: (0131) 244 3614
3rd Floor
Thistle House
91 Haymarket Terrace
Edinburgh
EH12 5HE

Representative of the Data Controller:

Boyd McAdam
National Convenor and Chief Executive
Boyd.mcadam@chs.gsi.gov.uk
T: 0131 244 3698
3rd Floor
Thistle House
91 Haymarket Terrace
Edinburgh
EH12 5HE

Information Commissioner's Office:

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