

**PRIVACY NOTICE  
(Processing under UK GDPR)  
(Police Scotland Officers)**

This is the Privacy Notice of the Scottish Police Authority (SPA) in respect of the personal data of Police Officers/Retired Police Officers that we process, in carrying out our functions and tasks. SPA is a statutory body with its headquarters based at:

Scottish Police Authority  
1 Pacific Quay  
Glasgow  
G51 1DZ

SPA has statutory functions to maintain the Police Service of Scotland (PSoS), to promote the Police principles, to promote and support continuous improvement in policing of Scotland, to keep under review policing in Scotland and to hold the Chief Constable to account for policing of Scotland.

SPA processes personal data to enable it to fulfil these functions including: setting and monitoring the Police budget; monitoring the Performance Framework; dealing with Complaints against senior officers; maintaining a Custody Visiting service; carrying out HR governance; and providing public protection and quality assurance in respect of policing.

**1. WHAT IS THE PURPOSE OF THIS PRIVACY NOTICE?**

As a data controller, SPA is responsible for making decisions about the means by which, and the purposes for which, we process your personal data. SPA is committed to protecting the privacy and security of police officer data as dealt with by SPA. This Privacy Notice describes how we collect and use personal data about you in accordance with 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 proposed Regulation on Privacy and Electronic Communications or any other law relating to data protection).

It is important that you read this Privacy Notice, together with any other privacy notice we provide on specific occasions when we are

collecting or processing personal data about you, so that you are aware of how and why we are using such information.

## **CONTACT DETAILS**

Our contact details for enquiries about how we process personal data are:

Scottish Police Authority  
1 Pacific Quay  
Glasgow  
G51 1DZ

SPAIM@SPA.police.uk

## **2. THE DATA WE COLLECT ABOUT YOU**

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

- **Identity data:** such as your name, title, username or similar identifier, marital status, dependants, date of birth, gender, National Insurance number, copy of driving licence or other ID.
- **Contact data:** such as your workplace location, home address, telephone numbers and email addresses, next of kin and emergency contact information
- **Financial data:** such as salary, pay, pensions and expenses information.
- **Professional data:** such as data relating to your professional experience, academic qualifications, professional memberships, continuing professional development.
- **Communications system data:** such as information about your use of our information and communications systems.
- **Image data:** such as photographs used in documentation or on websites and CCTV information.

### **Special category personal data**

We may also collect, store and use, only as far as is necessary, the following "special categories" of more sensitive personal information:

## OFFICIAL

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.
- Trade union membership.
- Information about your mental or physical health, including any medical condition, health and sickness records.
- Genetic information and biometric data.
- Information about allegations or convictions for criminal offences, sentences or other disposals.

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 collect personal data about you either directly from you, or indirectly from third parties such as PSoS.

### **4. HOW WE USE YOUR PERSONAL DATA**

We will only use your personal data for the purpose it was collected. If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which 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 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 valid consent

under Data Protection Law and you have the right to withdraw consent at any time by contacting us at [SPAIM@spa.police.uk](mailto:SPAIM@spa.police.uk).

## **5. PURPOSES FOR WHICH WE WILL USE YOUR PERSONAL DATA**

We consider that we will need to process all the categories of personal data in the list above in relation to you, primarily to allow us to perform our statutory functions. In some cases, we may use your personal data to pursue legitimate interests of our own or of third parties, but only in respect of functions which do not fall within our public authority functions. Purposes for which we expect to process your personal data are listed in the table in Annex A, setting out the category of personal data and the lawful basis for processing.

## **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 paragraph 5 above. In particular, we may share you data with:

- Police Investigations and Review Commissioner
- HM Revenue & Customs
- Our agents and advisors
- External Auditors
- Third party service providers
- Scottish Ministers

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.

## **7. INTERNATIONAL TRANSFERS**

We do not routinely transfer your personal data outside the European Economic Area (**EEA**). However, where such transfers take place they will be in accordance with relevant Data Protection legislation.

## **8. 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 business need to know. 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.

## **9. 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 necessary for 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 types of your personal data are set out in the shared PSoS/SPA Records Retention Schedule available on the PSoS Intranet.

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

## **10. YOUR LEGAL RIGHTS**

Under certain circumstances, you have rights under data protection laws 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 data is processed in compliance with a legal obligation which requires processing by law and to which SPA is subject, or for the performance of a task carried out in the public interest or in the exercise of official authority vested in SPA.
- 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 Data Protection Officer at [SPAIM@SPA.Police.uk](mailto: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 try 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.

## ***CHARGES FOR REQUESTS***

Generally requests for personal data are free of charge. However, if the request is manifestly unfounded or excessive, SPA may charge a reasonable fee, or refuse to act on the request.

## **11. COMPLAINTS**

You have the right to make a complaint about how we have dealt with your personal data at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with any concerns you might have before you approach the ICO, if you would like to contact us in the first instance at [SPAIM@SPA.police.uk](mailto:SPAIM@SPA.police.uk)

This notice was last updated on 16 July 2024

**ANNEX A**

<b>Purpose/Activity</b>	<b>Type of data</b>	<b>Lawful basis for processing including basis of legitimate interest</b>
Maintaining attendance at committee meetings	Identity data, professional data	legitimate interest (Maintains a record of individuals attending meetings for administrative purposes)
Committee reporting in respect of complaints, or whistleblowing.	Identity data, contact data, finance data, professional data, Communications data, special category data	Public task/official authority
All other reporting and correspondence in relation to committee meetings	Identity data, contact data	Public task/official authority
Reports and correspondence to support performance analysis/strategic reviews by SPA of PSOS	Identity data, contact data	Public task/official authority
Documents to support PSOS's compliance with Equalities Act/mainstreaming equalities activity	Identity data, contact data	Public task/official authority
Reviewing dip samples of stop and searches in order to review compliance with the Code of Conduct.	Identity data, contact data, finance data, professional data	Public task/official authority
Handling complaints against senior officers	Identity data, contact data,	Public task/official authority; statutory obligation;



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	finance data, professional data, Communications data, special category data	defence/pursuance of legal claims
Legal Claims/statutory appeals	Identity data, contact data, finance data, professional data, Communications data, special category data	Public task/official authority; statutory obligation; defence/pursuance of legal claims
Maintaining a custody visitor database and reports log	identity data, contact data, professional data,	Public task/official authority;
Senior Officer recruitment	Identity data, contact data, finance data, professional data,	Public task/official authority;
HR Governance - Including role definitions, modernisation, postings, VRVER, PNB, JNCC, senior officer performance reviewing all other governance scrutiny correspondence and reporting	Identity data, contact data, finance data, professional data,	Public task/official authority;
HR Governance – III Health retirement	Identity data, contact data, finance data, professional data, Special category personal data	Public task/official authority;
HR Governance – Review of injuries on duty/awards	Identity data, contact data, finance data, professional data, Special category personal data	Public task/official authority;

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HR Governance – Application of pension forfeiture	Identity data, contact data, finance data, professional data, Special category personal data	Public task/official authority;
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