



LETTER SENT BY E-MAIL ONLY

30 June 2023

2023/24-019

Freedom of Information (Scotland) Act 2002

Request

Please find below our response to your correspondence dated 15 June 2023, in which you made the following request under the Freedom of Information (Scotland) Act 2002:

1. A copy of your organisation's Records of Processing Activity (ROPA) as defined in Article 30 of the UK General Data Protection Regulation (UK GDPR).
2. A copy of all legitimate interest assessments conducted by your organisation where you rely on Article 6(1)(f) legitimate interests as your lawful basis for processing.
3. A copy of all privacy impact assessments conducted by your organisation.
4. A copy of all data protection impact assessments conducted by your organisation.
5. A copy of all international transfer risk assessments conducted by your organisation.
6. A recent copy of your organisation's data protection compliance assessment using the Information Commissioner's Office (ICO)'s accountability framework template. If you are using your own standards to monitor compliance with the Data Protection 2018, please provide me with copy of it.

7. A copy of your organization's data protection policy.
8. A copy of your organization's subject access request policy, procedures, and processes, including any guidance material such as folder structure, naming conventions, and redaction guides.
9. A copy of your organisation's privacy notices, including but not limited to employees, customers, ministers, special advisors (SPADs), complaints, NEDS, visitors, and CCTV.
10. A copy of your organisation's due diligence questions for vendor management such as independent data controllers or processors.

Response

Your request for information has been considered and the Scottish Police Authority is able to provide the following.

The Authority has provided information in every category, except for point three regarding 'Privacy Impact Assessments (PIA)', and point five regarding 'International Data Transfer Assessments (IDTA)'. The table below details the information held in relation to each point, or provides a notice of information not held, where applicable.

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| 1 | Two Information Asset Registers are provided – see attachments referenced 1. |
| 2 | One Legitimate Interests Assessment (LIA) is provided – see attachments referenced 2. |
| 3 | The Authority was formed in 2013. There were no Privacy Impact Assessments completed between 2013 and 2018 when these assessments were replaced by Data Protection Impact Assessments. Therefore, this represents a notice in terms of Section 17 of the Freedom of Information (Scotland) Act 2002 - Information not held. |
| 4 | Nine Data Protection Impact Assessments are provided – see attachments referenced 4. |
| 5 | <p>The vast majority of information processed by the Authority is 'Law Enforcement Data' and as such subject to the controls in Part 3 of the Data Protection Act 2018. As per Section 73 of Part 3, the Authority is not permitted to transfer personal data processed for a Law Enforcement purpose outside the UK, other than to another Law Enforcement body. Thus, we have no International data transfer assessments (IDTA).</p> <p>In respect of processing conducted under UK GDPR, the Authority processes on premise and does not share information out-with the</p> |

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| | UK. Therefore, this represents a notice in terms of Section 17 of the Freedom of Information (Scotland) Act 2002 - Information not held. |
| 6 | <p>Please see the Executive Summary of the Information Commissioner's last data protection audit of the Authority from 2018/19 - Scottish Police Authority Data protection audit report</p> <p>The full Data protection audit report is also provided and one Accountability framework self-assessment report – see attachments referenced 6.</p> |
| 7 | Two Data Protection Policies are provided – see attachments referenced 7. |
| 8 | One Data Subject Review Requests Standard Operating Procedure and one Naming Conventions aide memoire is provided – see attachments referenced 8. |
| 9 | Seven Privacy Notices are provided – see attachments referenced 9. |
| 10 | <p>Three vendor management documents are provided – see attachments referenced 10.</p> <p>The Authority has provided information, but to supplement that the Authority requires that all contracts involving personal data must be checked by the Information Management Lead, a qualified Data Protection Officer. The contracts specify as a matter of routine that vendors must either have ISO 27001 or the capability to demonstrate proficiency in each of the standards areas.</p> <p>Vendors are further required to have Cyber Essentials or Cyber Essentials Plus, or commit to gaining this award.</p> <p>Where personal data is being processed on the vendors premises there is an assertion that processing must remain of premise. Vendors must also either have or agree to a Police Assured Secure Facilities (PASF) assessment. Their employees with access to the data must also be vetted.</p> |

Right to Review

If you are dissatisfied with the way in which your request has been dealt with you are entitled, in the first instance, to request a review of our actions and decisions

Your request must specify the matter which gives rise to your dissatisfaction and it must be submitted within 40 working days of receiving this response - either by email to foi@spa.police.uk or by post

to Corporate Management Team, Scottish Police Authority, 1 Pacific Quay, Glasgow, G51 1DZ.

If you remain dissatisfied following the outcome of that review, you are thereafter entitled to apply to the Office of the Scottish Information Commissioner within six months for a decision.

You can apply [online](#), by email to enquiries@itspublicknowledge.info or by post to Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Should you wish to appeal against the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

As part of our commitment to demonstrate openness and transparency in respect of the information we hold, an anonymised version of this response will be posted to the Scottish Police Authority Freedom of Information [Disclosure Log](#) in seven days' time.

