

Privacy Notice (GDPR) – Professional Standards Department

Who we are:

The Police Service of Scotland is a constabulary established under the Police and Fire Reform (Scotland) Act 2012. Its headquarters is located at Tulliallan Castle, Kincardine, FK10 4BE, United Kingdom, and you can contact our Data Protection Officer by post at this address, by email at: dataprotection@scotland.pnn.police.uk, and by telephone on 101.

About this notice:

This notice is to advise you of how your personal information will be dealt with (processed) by Police Scotland and your rights in relation to the processing. This notice covers information processed for any non-crime purpose.

The Chief Constable of the Police Service of Scotland is the controller of your personal information and is the authority that decides the purposes for which your personal information will be processed. Police Scotland can be contacted by telephoning 101.

The tables below provide you with details of:

- why we process your personal information;
- what our legal basis is for having it;
- whether you have a legal duty to provide it to us and;
- what will happen if you decide not to provide it;
- the length of time we will keep your information;
- who we will share it with;
- the categories of your information we hold (if we have obtained the information from someone other than you) i.e.
 - personal data (see guidance sheet) or
 - special categories of personal data (see guidance sheet)

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Purpose and basis for processing:

Purpose of Processing	Legal Basis for Processing	Categories of individuals	Categories of personal data	Legal requirement to provide information	Consequences of failing to provide information
<p>To ensure all complaints are appropriately investigated and an audit trail maintained which accounts for the rationale behind and outcomes in respect of complaint investigations.</p>	<p>The Chief Constable must maintain suitable arrangements for the handling of relevant complaints.</p> <p>The Chief Constable must seek the views of others as to what those arrangements should be.</p> <p>The Chief Constable must provide the SPA, COPFS and PIRC with information about relevant complaints.</p>	<p>Members of the public who claim to be the person in relation to whom the act or omission took place.</p> <p>Members of the public (not as described above) who claim to have been adversely affected by the act or omission.</p> <p>Members of the public who claim to have witnessed the act or omission.</p> <p>A person acting on behalf of a person falling within any of the above categories</p> <p>Police officers and members of police staff.</p>	<p>Potentially all categories of personal data (depending on circumstances of complaint), including names, dob, address, postcode, phone / email, financial data, racial / ethnic origin, political religious or philosophical beliefs, mental / physical health, sex life, sexual orientation, alleged or actual offending data, trade union membership, unique identifiers, i.e. Police Scotland unique identifier.</p>	<p>Section 60, Police and Fire Reform (Scotland) Act 2012</p>	<p>Unable to deal with complaints in a fair, consistent, objective, thorough and proportionate manner.</p> <p>Unable to ensure that complainers are kept updated throughout the process.</p> <p>Unable to resolve concerns and where necessary take positive action.</p> <p>Unable to support continuous improvement.</p> <p>Unable to maintain high levels of honesty and integrity and prevent corrupt, dishonest, unethical or unprofessional behaviour.</p>

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Purpose of Processing	Legal Basis for Processing	Categories of individuals	Categories of personal data	Legal requirement to provide information	Consequences of failing to provide information
	The Chief Constable must ensure that sufficient information about relevant complaints is kept.				

Keeping and sharing your information:

In this section, we explain how long we keep (retain) your information and who we might share it with:

Category of information	Length of storage period (provide reference to relevant section of Record Retention SOP)	International Sharing (can be left blank if no transfers)	Recipients of personal information (Details of organisations we pass personal information on to)
Names, DOB	PSD – maximum, from date closed +12 years Sec 17, Records Retention SOP		Police Investigations and Review Commissioner (PIRC) Scottish Police Authority (SPA) Crown Office and Procurator Fiscal Service (COPFS)
Address (and / or postcode)	PSD – maximum, from date closed +12 years Sec 17, Records Retention SOP		Police Investigations and Review Commissioner (PIRC) Scottish Police Authority (SPA) Crown Office and Procurator Fiscal Service (COPFS)
Phone / email / communication details	PSD – maximum, from date closed +12 years Sec 17, Records Retention SOP		Police Investigations and Review Commissioner (PIRC) Scottish Police Authority (SPA) Crown Office and Procurator Fiscal Service (COPFS)

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Category of information	Length of storage period (provide reference to relevant section of Record Retention SOP)	International Sharing (can be left blank if no transfers)	Recipients of personal information (Details of organisations we pass personal information on to)
Identification docs / ID numbers	PSD – maximum, from date closed +12 years Sec 17, Records Retention SOP Sec 16 Records Retention SOP		Police Investigations and Review Commissioner (PIRC) Scottish Police Authority (SPA) Crown Office and Procurator Fiscal Service (COPFS)
Racial / ethnic origin	PSD – maximum, from date closed +12 years Sec 17, Records Retention SOP Sec 16 Records Retention SOP		Police Investigations and Review Commissioner (PIRC) Scottish Police Authority (SPA) Crown Office and Procurator Fiscal Service (COPFS)
Political, religious or philosophical beliefs	PSD – maximum, from date closed +12 years Sec 17, Records Retention SOP		Police Investigations and Review Commissioner (PIRC) Scottish Police Authority (SPA) Crown Office and Procurator Fiscal Service (COPFS)
Trade Union Membership	PSD – maximum, from date closed +12 years Sec 17, Records Retention SOP		Police Investigations and Review Commissioner (PIRC) Scottish Police Authority (SPA) Crown Office and Procurator Fiscal Service (COPFS)

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Category of information	Length of storage period (provide reference to relevant section of (Record Retention SOP))	International Sharing (can be left blank if no transfers)	Recipients of personal information (Details of organisations we pass personal information on to)
Mental and Physical health data	PSD – maximum, from date closed +12 years Sec 17, Records Retention SOP		Police Investigations and Review Commissioner (PIRC) Scottish Police Authority (SPA) Crown Office and Procurator Fiscal Service (COPFS)
Sex life and / or sexual orientation	PSD – maximum, from date closed +12 years Sec 17, Records Retention SOP		Police Investigations and Review Commissioner (PIRC) Scottish Police Authority (SPA) Crown Office and Procurator Fiscal Service (COPFS)
Alleged or actual offending data	PSD – maximum, from date		Police Investigations and Review Commissioner (PIRC) Scottish Police Authority (SPA) Crown Office and Procurator Fiscal Service (COPFS)
Unique identifiers	PSD – maximum, from date closed +12 years Sec 17, Records Retention SOP		Police Investigations and Review Commissioner (PIRC) Scottish Police Authority (SPA) Crown Office and Procurator Fiscal Service (COPFS)

Your Rights:

You have certain rights in relation to how we process your personal information. These are listed below.

1. Right of access – this is called making a subject access request.

This means that you are entitled to, amongst other things, a copy of the information we hold on you, although there are exceptions to this. For further information and details on how to make a subject access request please click [here](#) or visit the Police Scotland Website at <http://www.scotland.police.uk/access-to-information/data-protection/subject-access-requests>

2. Right to rectification.

We must correct without delay, any personal information we hold on you which is not accurate. If you think anything is wrong, you should contact us by post or e mail. There are exceptions to when we have to correct the information, and you will be advised if we have to apply them. If it is not possible to establish the accuracy of the personal information, we will restrict how we process it, for example restrict who can see your information, or who we disclose it to.

3. Right to erasure, restriction of processing or right to object.

You have a right to request that we delete your personal information, but this will only be done when we are legally required to do so. On occasion it may be more appropriate to restrict how we process it, for example restrict who can see your information, or who we disclose it to.

You also have the right to object to the processing we carry out, if our legal basis for doing so, (as detailed above), is for carrying out a task in the public interest, exercising our lawful duty or we believe it is in our legitimate interests. Further information can be obtained from: Information.Assurance@scotland.pnn.police.uk

If we refuse to carry out your requests in full under paragraphs 1, 2 or 3 above, you have the right to ask the Information Commissioner to check whether our decision is correct.

If you are unhappy in any way with how we have dealt with your information, you have the right to complain to the Information Commissioner.

The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113 (local rate)

www.ico.org.uk