

## Privacy Statement for personal data provided for Independent Reports

This privacy notice tells you what responsibilities Children's Hearings Scotland (CHS) has when your Panel have requested an Independent Report. For more information on Independent Reports you can read the Practice Standards and Expectations [here](#).

### 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?

The Independent Report writer is a Data Controller, commissioned by Children's Hearings Scotland (CHS) to collect this particular information. This means that the Independent Report writer is ultimately responsible for ensuring the security of the information collected for their report, as well as who sees it, where it goes, and when (and how) it is destroyed.

CHS has an oversight and audit function, which means that we will request to see the final report produced by the Independent Report Writer. This is so we can ensure the Practice Standards and Expectations are met. CHS is Data Controller for any reports we receive and hold.

### 2. What information will be collected from you?

The Independent Report writer may need detailed and specific information from you on the subject their report is about. They will be able to describe to you the types of information they are looking for. They may also receive your personal information from other sources to go into their report.

## Special Categories of data

As part of writing the report, Independent Report writers may need access to sensitive personal details. Some types of sensitive information are referred to as 'special categories,' and include the following:

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

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 receive this data, and what do we do with it?

CHS has to have a legal basis for processing your information. We will process your personal information to complete our oversight function, as part of our public task under the Children's Hearings (Scotland) Act 2011 and the Age of Criminal Responsibility (Scotland) Act 2019.

## 4. Who do we share this information with?

CHS does not routinely share the Independent Reports it receives with anyone else, unless required to by law.

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

We only keep information for as long as it is needed. Independent Report writers destroy all information gathered to produce a report 30 days after a reports completion. CHS destroys their copy of any Independent Report as soon the relevant business function has been completed.

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](mailto: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](mailto:information@chs.gov.scot)  
T: (0131) 244 3696  
3<sup>rd</sup> 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](mailto:accessinformation@ico.org.uk)