



ALBA | CHRUTHACHAIL

Creative Scotland Privacy Notice for its:

Suppliers (Trade Creditors)
Contractors
Agency Staff
Secondees

1. Introduction

The purpose of this Privacy Notice is to outline how CS holds and uses your personal information, who CS may share it with and your rights in relation to your personal information.

To help clarify some of the wording, a 'Definitions' Section is located at the bottom of this Privacy Notice.

With regard to Section 2 below, CS may not collect all the personal information that is contained within this list e.g. for Suppliers, CS would not request or obtain your date of birth. However, CS would obtain information to include your name, contact information, financial information.

For the purposes of Data Protection Laws, CS will be the Controller of your personal information and CS will comply with the Data Protection Laws when handling and using your personal information.

CS has appointed a Data Protection Officer (DPO), who ensures that CS complies with data protection laws. If you have any questions about this Privacy Notice or how CS holds or uses your personal information, please contact:
dataprotection@creativescotland.com

2. What personal information does CS collect about you?

As part of your involvement with CS, CS holds and uses the personal information that you provide to CS and / or other personal information that CS may obtain about you from you and from third parties on an ongoing basis. This may include your:

- name;
- contact information, including emergency contact / next of kin information;
- date of birth (if required for any age-restricted CS activities in which you are involved);
- gender;
- financial information including banking account details;
- driving licence (if required for any CS activities in which you are involved);
- experience and qualifications (if relevant and required for any CS activities in which you are involved);
- absence-related information;

- sensitive personal information about your racial or ethnic origin, sexual orientation, your physical and / or mental health (including disability), religious or other similar beliefs and / or political opinions (if you choose to share any of this with CS);
- criminal records information, including Disclosure Scotland and Protecting Vulnerable Groups scheme checks (if required for any CS activities in which you are involved);
- complaints or conduct issues involving you;
- training which you have attended or been involved in at CS; and
- time and attendance records.

3. What does CS use your personal information for?

CS may use this personal information to:

- meet CS's responsibilities with regard to CS's involvement with you;
- comply with reporting, legal and regulatory requirements;
- record absences, including the reason(s) for such absences;
- determine your suitability to be involved in specific CS activities;
- comply with CS's obligations as part of the data sharing arrangements that it has entered into with other public authorities for e.g. fraud prevention and detection purposes;
- deal with complaints involving you;
- protect your vital interests, e.g., to notify your next of kin and / or obtain emergency medical assistance in the case of an accident involving you;
- deliver education and training;
- check driving licence and vehicle status and insurance arrangements (if required for any CS activities in which you are involved);
- protect CS's personal information and systems and ensure business continuity;
- undertake business management and planning, including accounting and auditing;
- protect and defend CS's legal rights in the case of a dispute between you and CS; and
- to respond to requests for information received by CS from the media otherwise than under Access to Information Laws.

4. Who will have access to your personal information?

CS may share your personal information, including with the following organisations, for the purposes described in Section 3 of this Privacy Notice:

- Disclosure Scotland;
- Audit Scotland;
- CS's consultants, advisers and IT service providers;
- CS's solicitors;
- CS's insurers; and
- the Police (in the case of actual or suspected criminal activity).

5. What is CS's legal basis for handling and using your personal information?

Data Protection Laws require CS to have a legal reason for handling and using your personal information. CS's legal reasons for handling and using your personal information include:

- compliance with **legal obligations**, e.g. to comply with health and safety laws;
- protection of your **vital interests**, e.g. to obtain emergency medical assistance in the case of an accident involving you; and

- protection of CS's **legitimate interests** – if CS does not have another legal reason, CS may consider that CS has a legitimate interest in handling and using your personal information, e.g., to maintain corporate records. In those circumstances, CS will always consider your legitimate interests in the protection of your personal information, and will balance those against CS's own legitimate interests in handling and using your personal information for the purposes described in Section 3 of this Privacy Notice.

6. How long will CS keep your personal information?

CS will only keep your personal information for as long as CS needs to for the purposes described in Section 3 of this Privacy Notice, including to meet any legal, accounting, reporting or regulatory requirements. More information is contained in CS's Information Assets Register, which is available by contacting CS's Information & Records Management Officer.

7. Does CS send your personal information outside the European Economic Area?

CS will comply with Data Protection Laws if handling and using your personal information in accordance with this Privacy Notice requires CS to transfer your personal information to organisations in countries outside the European Economic Area.

8. How will CS keep your personal information secure?

CS will take reasonable technical and organisational precautions to prevent the loss, misuse or alteration of your personal information and will store your personal information on secure servers.

9. What will happen if you do not provide CS with the information it requires?

If you do not provide CS with the personal information in Section 1 of this Privacy Notice, CS may not be able to continue its involvement with you. CS may also be prevented from complying with the laws that apply to CS, e.g., to ensure your health and safety.

10. What rights do you have in relation to the personal information that CS handles and uses about you?

It is important that the personal information that CS holds about you is accurate and current. Please keep CS informed of any changes. Under certain circumstances, the law gives you the right to request:

- a copy of your personal information and to check that CS is holding and using it in accordance with legal requirements;
- correction of any incomplete or inaccurate personal information that CS holds about you;
- deletion of your personal information where there is no good reason for CS continuing to hold and use it. You also have the right to ask CS to do this where you object to CS holding and using your personal information (details below);
- temporarily suspend the use of your personal information, e.g., if you want CS to check that it is correct or the reason for processing it or to stop CS from using your personal information altogether if CS has committed a breach of data protection laws; and

- the transfer of your personal information to another organisation.

You can also object to CS holding and using your personal information where CS's legal reason is a legitimate interest (either CS's legitimate interests or those of a third party).

Please contact CS's DPO if you wish to make any of the above requests. When you make a request, CS may ask you for specific information to help CS confirm your identity for security reasons. You will not need to pay a fee when you make any of the above requests, but CS may charge a reasonable fee or refuse to comply if your request for access is clearly unfounded or excessive.

11. Feedback / making a complaint

CS welcomes your feedback on how CS holds and uses your personal information, and this can be sent to CS's DPO.

If you have any concerns with how CS has handled and used your personal information, you should contact CS's DPO in the first instance, as CS would welcome the opportunity to work with you to resolve any complaint. The contact details for CS's DPO are as follows:

Data Protection Officer
Creative Scotland
2-4 Waterloo Place
Edinburgh
EH1 3EG
Telephone: 0330 333 2000
Email: dataprotection@creativescotland.com

If you are still dissatisfied, you can submit a complaint to the Information Commissioners Office (ICO) either by telephone or by completing an online form. The ICO's contact details are as follows:

Telephone: 0303 123 1113
Website link: <https://ico.org.uk/concerns/>

Definitions:

CS	means Creative Scotland
You, Your, Yourself	means the member of agency staff or contractor or secondee, who the personal information is about, and with whom CS is involved
Access to Information Laws	includes the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004 and any legislation supplementary thereto introduced in Scotland
Data Protection Laws	includes the Privacy and Electronic Communications (EC Directive) Regulations 2003; any legislation implementing the Privacy and Electronic Communications Directive 2002/58/EC of 12 July 2002; the General Data Protection Regulation (EU) 2016/679 of 27 April 2016 (GDPR); and any legislation supplementary to the GDPR introduced in the United Kingdom, including the Data Protection Act 2018
Controller	determines how and why personal information is handled and used
European Economic Area	means the Member States of the European Union, Iceland, Norway and Lichtenstein
Personal Information	means information relating to a living individual who can be identified