

Privacy statement for Panel Members, Panel Practice Advisors and Area Support Teams

This privacy notice tells you what Children's Hearings Scotland (CHS) does with the personal data that you provide, how long we hold your personal data, and what you can do if you are unhappy with any of the ways in which your data is used. This notice is for the information of people who are undergoing training, are currently volunteer Panel Members, Panel Practice Advisors, or are Area Support Team (AST) members or Clerks.

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?

Children's Hearings Scotland (CHS) is the Data Controller for the information we hold about you. This means that once you have provided us with the information listed in the next section CHS is ultimately responsible for ensuring its security, who sees it, where it goes, and when and how it is destroyed. Where you see "we," or "us," it refers to CHS as the Data Controller.

2. What information do we collect about you?

This section outlines the different types of personal information that we process about you. We obtain some information directly from you and some information from the Scottish Children's Reporter Administration (SCRA), including information recorded in systems used to administer children's hearings. This may include information about hearing schedules, attendance records, access to hearing papers, hearing outcomes, decisions, and related administrative records. Your personal data can be held in any format, digital or paper, and may be held in an internal system or in unstructured documents.

CHS will ask you to provide the following types of personal data:

- Your full name, and any name preferences
- Email address

- Contact information (phone number, postal address, etc.)
- Gender
- Date of birth
- Eligibility to work
- Details of any criminal convictions
- Occupation
- Name and contact information for references.

We may also ask you to provide bank details if you are putting in an expense claim, and detail any potential conflicts of interest, which may bring up further personal information.

CHS also processes information relating to your volunteer role and participation in Children's Hearings. This may include:

- The types and purposes of hearings you have sat on and are scheduled to sit on
- How you attended a hearing, such as in person or virtual attendance
- Scheduled and actual start and end times of hearings you attend
- When hearing information packs are made available and when you accessed them
- Decisions made by you at hearings
- When reasons and advice were submitted and by whom on the panel
- Related case management, audit, quality assurance, and administrative information

Special Categories of personal data

CHS sometimes gathers more sensitive data about our volunteers. These types of information are called Special Categories of data. The Special Categories outlined by data protection legislation are listed below:

- Race and ethnic origin
- Religious and philosophical beliefs
- Sexual orientation
- Physical health
- Mental health
- Trade Union membership
- Political opinions
- Biometric data (such as voice authentication or facial scanning)

Some of this information is gathered to help us create panels that are diverse and representative of a range of backgrounds and experiences, and some of it helps us meet our obligations to you, such as providing large print reports, etc. Where you provide these pieces of information, additional safety measures are put in place to protect them. 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](#).

Where information is provided in a digital format, it is stored on CHS' IT system, 'CSAS'. When information is provided in a paper format, it will be digitised (scanned) and moved into this system. Information can also be created through use of email and Microsoft Teams, which is managed by CHS. We do not hold paper documentation for long periods of time and

once they have been digitised, they are destroyed in an appropriate manner. Where information is held by anyone other than CHS, such as partners or IT providers, we have contracts in place to ensure that they store all information in a secure manner that meets our very high standards.

3. Why do we collect this data, and what do we do with it?

CHS has to have a legal basis for processing your information, and as a Public Authority, CHS is required by law to maintain certain data and report on other types. Most of your personal data is processed under the necessity for performance of your contract with CHS as a volunteer. Some of your personal data is processed as part of our public task and exercise of official authority under the Children's Hearings (Scotland) Act 2011.

Contact details are accessible to volunteers within the volunteer's area as part of our public task in order to facilitate effective communication between volunteers relating to children's hearings business. These contact details must not be used for any other purpose, without the permission of the volunteer.

CHS holds records relating to your participation in Children's Hearings as part of our public task administering hearings, supporting volunteers, and ensuring the effective operation of the hearings system. We use this information to understand your hearings experience and better support the volunteer experience of preparing for and attending hearings. We may also use it to identify trends to continually improve our training and support for volunteers.

Upon ending service, we may contact you to thank you for your service and request feedback on your time volunteering with CHS. It will always be optional to provide this feedback.

Wherever we process special category personal data (see section 2) it will either be with your explicit consent or where necessary for carrying out obligations under employment law.

Sometimes we may use your data for research and archiving purposes, where it is necessary for archiving purposes in the public interest or to produce management and statistical information to monitor and improve our performance and service provision to you.

4. Who do we share this information with?

In order to meet our obligations to you we will, from time to time, share your information with selected partners. We will only share your data when there is a legal requirement to do so, and all partners and processing agencies are carefully vetted to ensure that they are compliant with applicable data protection requirements including the UK General Data Protection Regulation (UK GDPR). Where possible, we sign *Data Processing Contracts* with them that carefully spell out what data will be shared, for what purpose and for how long. These agreements ensure that our partners process your data securely, and only for the purposes that we have requested.

We share your information with IT and Communications service providers. This enables them to provide IT and communications systems for CHS.

CHS uses Microsoft Office 365 to provide CSAS, the Community Hub, communication services, and to process hearings-related enquiries. CHS uses JotForm to schedule trainee volunteers to observe hearings. Microsoft and JotForm comply with the UK Extension to the EU-U.S. [Data Privacy Framework](#), a certification programme that ensures that participants based in the United States (and all of their subsidiary and partner businesses) are following UK and EU regulations when it comes to the security of personal data. Leidos Innovations and Brightwire Technology Services provide IT system support to CHS. We need to share your data with them in order to provide you with access to all the necessary resources for your role.

We share your information with National and Local Government agencies and partners. This is to ensure security measures are in place, and that you are able to fulfil the requirements of your contract.

CHS shares your personal data with the Scottish Children's Reporter Administration (SCRA) in order to provide you with permissions to access key digital systems, record attendance at hearings and training events, submit expenses claims and participate in CHS initiatives online. We will also give your information to Disclosure Scotland, to allow them to check that you are allowed to work with children, young people, and vulnerable groups. Local authorities will be provided with your data to allow them to process expenses claims, to provide support, organise meetings, and provide training opportunities.

From time to time, we will share your information with lawyers commissioned by CHS to undertake work on our behalf, and to recruitment campaign service providers. This is to enable them to fulfil their contracts with CHS.

When the National Convener is required to intervene or investigate complex cases, or where there may be a conflict of interest, CHS will be required to share some personal data with an external legal advisor/solicitor. Similarly, personal data may be shared with marketing firms engaged by CHS to produce promotional material. This personal data is most likely to be an image or a quote and your name. In these circumstances, you will be informed that this will happen, and you have the right to request that this action is either suspended or stopped altogether (see Section 6 for more information on this and other rights).

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

We only keep information for as long as it is needed. For the majority of your data, this means that we destroy it after a specific period of time. There are some pieces of information that we must keep permanently, for either business continuity or historical value.

CHS operates a [Records Retention Schedule](#) that shows exactly how long we can keep different types of information. This document also explains how we destroy different types of information, and the reason for processing the information in this way.

We hold on to the personal data of Panel and AST members for six years after they have left their posts. After that, anything that is not required for either historical or scientific research purposes or archived will be securely destroyed. Where we do keep it longer than six years, we will always make sure that your rights as the Data Subject are maintained.

We hold the personal data of unsuccessful applicants for six months after the recruitment period has finished. The specific date varies each year, and for further information on this, please contact us at information@chs.gov.scot. In exceptional circumstances, we may hold your data for a longer period of time. For example, if you have been involved in a complaint, we may need to keep some of your information for a longer period of time.

6. Further Information and Complaints

Data Protection Officer

If you would like further information on how we handle personal data, to ask a question, share a concern about how your data is handled, or make a data protection complaint, you can contact our Data Protection Officer.

Danielle Metcalfe
information@chs.gov.scot
T: 0131 460 9569
3rd 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/make-a-complaint/>

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 call them on: 0303 123 111