

Privacy Statement for individuals with lived experience

This privacy notice tells you what Children's Hearings Scotland (CHS) does with the data 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 individuals with lived experience and will apply to you if you have:

- Provided your contact details to our Participation Team
- Expressed an interest in, applied for, or have been successfully selected to join our Experts by Experience Group
- Agreed to participate in providing feedback through other programmes or schemes, such as Voicebank

You can also read the more accessible ['Privacy Notice – version for Children'](#).

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 Subject: this is you, the person that the data is about.

Processing data: This means carrying out a task about/with data or information. It can be any task right from the start (e.g. collecting data) to the very end (e.g. deleting data).

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 into process data on behalf of the Data Controller.

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 from you?

This section outlines the different types of information that we may ask you to provide. As part of any work carried out with CHS, we will collect and store your name and contact details so we can get in touch with you.

The information we collect depends on each project or programme. When you apply to join the Experts by Experience Group, for example, we will ask you to provide the following types of personal data:

- Full name, preferred name and pronouns.
- Contact information: Email address, phone number and postal address.
- Gender
- Date of Birth
- Details of your lived experience of the children's hearings system.
- Name and contact information of your trusted adults and emergency contact.
- Name and contact information for references
- If you are successfully selected to join the group, we will also ask for your bank details so we can pay you.

We will also collect any contributions you make to ongoing work or projects with CHS, and may collect images, videos or attributable quotes with your informed consent. We will never collect or hold any images or videos of you without asking your permission first.

For Voicebank, we collect your email address, your local Council area, and your opinions. Once we collected your data, we will anonymise it so your opinions can no longer be traced back to your email address.

3. Special Categories of data

As part of your conversations with CHS you may choose to share sensitive personal details. Some types of sensitive information are referred to as 'special categories,' and Data Protection legislation lists the following:

- Race and ethnic origin
- Religion
- Sexual orientation
- Physical health
- Mental health
- Trade union membership
- Political opinions or affiliation

- Biometrics (fingerprints, for example)

At CHS, we also consider lived experience (care experience) as a special category of personal data.

When we are provided with this information we make sure that additional safeguards are put in place to protect your information, and to prevent unlawful discrimination. 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](#).

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

CHS has to have a legal basis for processing your information. In most cases, we will process your personal data and contributions to group development as part of our public task under the Children’s Hearings (Scotland) Act 2011. Any further information we process will be done only with your full consent, which you can take back at any time.

If you apply for or are selected to join the Experts by Experience Group, for example, some of your personal data will be processed under the necessity for the performance of your contract with CHS. Wherever we process special category personal data (see section 2), it will be with your explicit consent.

5. Who do we share this information with?

We store our data on the Scottish Government network and on systems that we have approved for data protection compliance. All of CHS’s partners and processing agencies are carefully vetted to ensure that they are compliant with the UK General Data Protection Regulation (UK GDPR). Where possible, we sign Data Processor Agreements with them that carefully spell out what data will be shared, for what purpose and for how long. These agreements are used to ensure that they process your data securely, and only for the purposes that we have requested.

We share your information with IT and Communications service providers. This is so we can contact you when required.

CHS uses Microsoft Office 365 for communications. Microsoft complies 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. When we enter your email address, we are in effect sharing your data.

CHS will not share your personal information with any other external partners without speaking to you first and obtaining your consent to do so.

6. Additional considerations regarding Experts by Experience

A Basic Disclosure check is required to join the Experts by Experience Group. If you are selected to join this Group, we will share your information with Disclosure Scotland, to allow them to check that you are allowed to work with children, young people, and vulnerable groups. Depending on the project, an additional PVG check might be necessary.

In order to meet our obligations to you, we may from time to time share your information with our trusted partners to register you for events, conferences and meetings. Only the minimum necessary information will be shared. For example, your name, phone number, email address, and any access or dietary requirements. We will always let you know before we share this information.

7. 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.

Materials collected or created for group development will be kept in line with CHS's [Retention and Disposal 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.

For the Experts by Experience Group, we hold on to the personal data of unsuccessful applicants for six months after the end of the recruitment campaign. After this period, it is securely destroyed. If your application is successful, most of your data will be kept for six years after the end of your appointment. 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.

8. 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

Telephone: 0131 460 9569

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91 Haymarket Terrace
Edinburgh
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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 1113