

This privacy statement explains how we collect and use personal information about you for the following purpose:

Procurement

Categories of information processed

Normal category data, including names and contact details, addresses, professional history, CVs, bank account details, conflict of interest information.

Source of the information

Personal data can be provided to us via a number of sources including [Public Contracts Scotland](#), email, post, verbally, access to an online portal/website (e.g. Companies House).

Personal data is provided to us directly from an economic operator or a person who has powers of representation, decision or control in relation to an economic operator for the purpose of taking part in a procurement procedure.

Personal data is provided to us via a third party (e.g. via access to an online portal).

The purpose(s) of the processing

We process and store any personal data for the purpose(s) of awarding, delivering and maintaining Scottish Human Rights Commission (the Commission) contracts and in order to comply with public procurement regulations in Scotland.

Legal basis of processing

The processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract (Article 6(1)(b) GDPR).

The legal basis for sharing personal data as part of the procurement process is that it is necessary for the purpose(s) of a legitimate interest of the Commission (Article 6(1)(f) GDPR). The legitimate interest is to receive professional specialist advice in order to achieve best value for money in the procurement process.

Consequences of not providing personal data

Not processing this information would make it impossible for the Commission to conclude and manage contracts and compromise the Commission's full compliance with public procurement regulations in Scotland.

Data sharing

The personal data is shared with other public sector bodies involved in the procurement process where necessary. For example, any public sector body with which the Commission collaborates on a procurement due to similar/shared requirements.

The sharing is necessary for the performance of a contract (Art 6(1)(b) GDPR).

The personal data is shared with third party advisers involved in the procurement process where necessary. For example, independent and/or contracted advisers/specialists who may take forward procurements on behalf of the Commission or be consulted for contract evaluation purposes on areas in which the Commission lacks the required expertise (e.g. IT, Construction etc.).

All regulated contracts (contracts with a value above £50,000) are published on the Public Contracts Scotland website. This is in order for the Commission to meet the obligations of Section 35 of the

Procurement Reform (Scotland) Act 2014. Selected non-regulated contracts (with a value below £50,000) are also published on the Public Contracts Scotland website when appropriate.

Retention of Data

The personal data is retained for 5 years after contract expiry in accordance with the Commission's records management policy and retention schedule.

Your rights

The GDPR sets out the rights which individuals have in relation to personal information held about them by data controllers. These rights are listed below, although whether you will be able to exercise each of these rights in a particular case may depend on the purpose for which the data controller is processing the data and the legal basis upon which the processing takes place.

For example, the right allowing for deletion or erasure of personal data (the right to be forgotten), the right of data portability and the right to object do not apply in cases where personal data is processed in respect of a legal obligation.

Access to your information – You have the right to request a copy of the personal information we hold about you.

Correcting your information – We want to make sure that your personal information is accurate, complete and up to date and you may ask us to correct any personal information about you that you believe does not meet these standards.

Deletion of your information – You have the right to ask us to delete personal information about you where:

- You consider that we no longer require the information for the purposes for which it was obtained

- You have validly objected to our use of your personal information – see *Objecting to how we may use your information* below
- Our use of your personal information is contrary to law or our other legal obligations.

Objecting to how we may use your information – Where we use your personal information to perform tasks carried out in the public interest then, if you ask us to, we will stop using that personal information unless there are overriding legitimate grounds to continue.

Restricting how we may use your information – in some cases, you may ask us to restrict how we use your personal information. This right might apply, for example, where we are checking the accuracy of personal information that we hold about you or assessing the validity of any objection you have made to our use of your information. The right might also apply where this is no longer a basis for using your personal information, but you don't want us to delete the data. Where this right is validly exercised, we may only use the relevant personal information with your consent, for legal claims or where there are other public interest grounds to do so.

Please contact us in any of the ways set out in the *Contact information and further advice* section if you wish to exercise any of these rights.

Freedom of Information (Scotland) Act 2002

Please Note: The Commission is covered by the Freedom of Information (Scotland) Act 2002. The Act requires us to disclose information we hold to the requester unless we are permitted to withhold it by an exemption. This includes personal data we hold. If the request covers personal data, the interests of the data subject must be considered but ultimately, we may be required by law to release the information to the person who has made the request.

For more information on the Freedom of Information (Scotland) Act 2002, please visit the [website of the Office of the Scottish Information Commissioner](#).

Changes to our privacy statement

We keep this privacy statement under regular review and will place any updates on this website. Paper copies of the privacy statement may also be obtained using the contact information below.

This privacy statement was last updated on 16 October 2020.

Contact information and further advice

If you have any further questions about the way in which we process personal data, or about how to exercise your rights, please contact the Head of Corporate Services at:

Scottish Human Rights Commission
Bridgeside House
99 McDonald Road
Edinburgh
EH7 4NS

Telephone: 0131 297 5750

Email: hello@scottishhumanrights.com

Please contact us if you require information in another format.

Complaints

We seek to resolve directly all complaints about how we handle personal information but you also have the right to lodge a complaint with the Information Commissioner's Office:

Online: <https://ico.org.uk/global/contact-us/email/>

By phone: 0303 123 1113

By post: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, SK9 5AF