

# SCOTTISH SPCA PRIVACY NOTICE

## ANIMAL GUARDIANS

If you require assistance to go through this privacy notice, please contact a member of the Animal Guardians team who will be happy to help. We can also provide our accessible/child version of this privacy notice, if required.

### What is the purpose of this document?

The Scottish Society for the Prevention of Cruelty to Animals (Scottish SPCA) is committed to protecting the privacy and security of your personal data.

This privacy notice describes how we collect and use personal data about you, in accordance with the UK GDPR, the Data Protection Act 2018 and all other applicable laws relating to the processing of personal data ("UK data protection law").

It applies to all prospective, current and former individuals who take part in the Animal Guardians Programme, and to their respective parents or carer.

When we say '**Scottish SPCA**', '**we**' or '**us**' in this privacy notice, we are referring to the Scottish Society for the Prevention of Cruelty to Animals which is a registered charity in Scotland (Scottish Charity No. SC 006467) and a company limited by guarantee registered in Scotland (Company No. SC201401) with its registered office at Kingseat Road, Halbeath, Dunfermline KY11 8RY.

Scottish SPCA is a "**controller**". This means that we are responsible for deciding how we hold and use personal data about you. We are required under UK data protection law to notify you of the information contained in this privacy notice.

It is important that you read this notice, together with any other privacy notice we provide on specific occasions when we are processing personal data about you, so that you are aware of how and why we are using such personal data and what your rights are under UK data protection law.

### Data protection principles

We will comply with UK data protection law – this says that the personal data we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

## The kind of personal data we hold about you

Personal data, or personal information, means any information about an individual from which that person can be identified or identifiable as an individual (even if not by name). It does not include data where the identity has been permanently removed (anonymous data).

There are "special categories" of more sensitive personal data which require a higher level of protection, such as personal data about a person's health or sexual orientation. Information about criminal convictions and offences also warrants a higher level of protection.

We may collect, store, use and otherwise process the following categories of personal data about children and their parent/s or carer (where applicable):

- 🐾 Names
- 🐾 Age of child(ren)
- 🐾 Gender of child(ren)
- 🐾 School name, school year and class of child(ren)
- 🐾 Contact details including telephone number, email address and postcode
- 🐾 Relationship to the child(ren)
- 🐾 Name and contact details of additional organisations involved with the child, including but not limited to, social workers, mental health professionals and third sector providers
- 🐾 Details of behaviour shown towards animals by the child(ren)

If it is relevant to your referral, we may also collect, store, use and otherwise process Special Category or Criminal Offence personal data of the child such as:

- 🐾 Health details
- 🐾 Criminal offences and/or criminal convictions

We do not need the special category or criminal offence personal data to deliver our Animal Guardians service to you. Although if we do not have this personal data we may not be able to provide you with a personalised service.

## How is your Personal Data collected?

We typically collect personal data via the completion of our animal guardians referral forms. This is either completed by a young person directly, or by a young person's parent/carer or by a third party (such as a social worker or teacher) who refers a young person to our programme.



## How do we use your Personal Data?

We will only use your personal data when the law allows us to do so. Most commonly, we will use your personal data in the following circumstances:

- 🐾 Where we have the child's consent or, dependent on the age and capacity of the child, where we have the consent of the child's parent/carer.
- 🐾 Where the processing is necessary for the purposes of our legitimate interests to assess your referral to the Animal Guardians programme and to contact or deliver the Animal Guardians programme to you where those legitimate interests are not overridden by interests or fundamental rights or freedoms.

Less commonly, where the processing is necessary to comply with a legal obligation or where we need to protect your interests (or someone else's interests), such as in a medical emergency or where it is needed in the public interest for official purposes

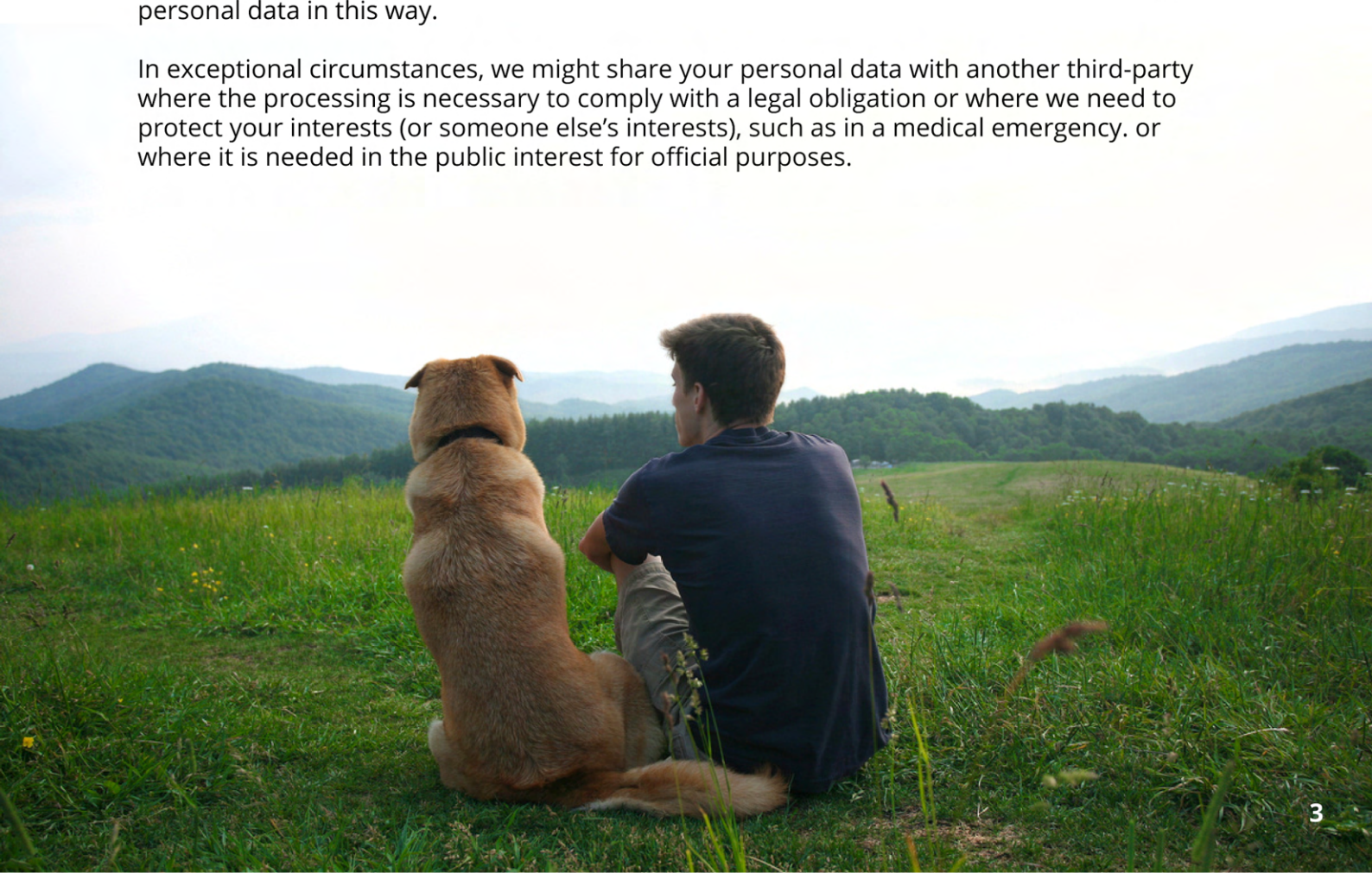
## Sharing your personal data

Edinburgh University and the Scottish SPCA are undertaking a study together to evaluate the Animal Guardian programme. For the purposes of this study Edinburgh University and the Scottish SPCA are joint controllers which means we both determine the means and purpose of that study.

If we share you/your child's personal data (name and contact details) with Edinburgh University our lawful basis for doing so is with your consent which means, we will not undertake this sharing unless we have the child's consent. or dependent on the age and capacity of the child, where we have the consent of the child's parent or carer.

However, wherever possible this information is fully anonymised and therefore no longer personal data as it does not identify you or the child directly or indirectly. You can find out more information within the Animal Guardian booklet about this sharing and about the research project to help you/your child decide whether or not you wish for us to share your personal data in this way.

In exceptional circumstances, we might share your personal data with another third-party where the processing is necessary to comply with a legal obligation or where we need to protect your interests (or someone else's interests), such as in a medical emergency. or where it is needed in the public interest for official purposes.



## How we use particularly sensitive personal information

"Special categories" of particularly sensitive personal data, such as information about your health, require higher levels of protection. Any information about your criminal convictions and offences personal data also requires a higher level of protection. Where we process this more sensitive personal data, we need to have further justification for processing this type of personal data.

The main reason we would hold and process these more sensitive categories of personal data is with the child's clear and written consent, or dependent on the age and capacity of the child with the consent of their parent or carer. Consent means that you have the right to withdraw your consent at any time. This also means that you can still participate in the Animal Guardian programme if we do not have this more sensitive personal data about you, although the service you receive may be less tailored to your needs.

However, we may less commonly process this type of particularly sensitive personal data under the law in other circumstances, including:

1. Where it is needed on the grounds of substantial public interest, such as for safeguarding children and individuals at risk or for equal opportunities monitoring, or to prevent or detect unlawful acts
2. Where it is needed to carry out our legal obligations in line with UK law in the field of social security and social protection law
3. Where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent
4. Where you have already made the information public

If you have any queries about how we use your personal data, you can contact us on the details provided in the 'Contact Us' section of this notice.

### Data security

We have put in place measures to protect the security of your personal data. Details of these measures are available upon request from our Data Protection Officer ('DPO').

### Data retention

We will only keep your personal data for as long as is necessary, and in the following ways:

- 🐾 Referral forms and correspondence – 6 years from the end of the service
- 🐾 Personal data from the Animal Guardians Sessions – once the child reaches 18 years + 6 years

In some circumstances we will anonymise your information so that it can no longer be associated with you.

### International transfers of personal data outside the United Kingdom

We do not transfer your personal data outside the United Kingdom, but if we were to do so we would ensure we only did so where legally able to do so, ensuring that we provided a similar degree of protection to your personal data, in compliance with UK data protection law.

## Rights of access, correction, erasure, and restriction

### Your duty to inform us of changes

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your interactions with us.

### Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- 🐾 Request access to your personal data (commonly known as a 'data subject access request'). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- 🐾 Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- 🐾 Request the erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it.
- 🐾 You also have the right to ask us to stop processing personal data where we are relying on a legitimate interest and there is something about your particular situation which makes you want to object to processing on this ground.
- 🐾 Request the restriction of processing of your personal data. This enables you to ask us to suspend the processing of personal data about you, for example if you want us to establish its accuracy or the reason for processing it.
- 🐾 Request the transfer of your personal data to another party.
- 🐾 Request the right to object to the processing.

You can exercise these rights by contacting our DPO.

### No fee usually required

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

### What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the personal data (or to exercise any of your other rights).



## Data Protection Officer ('DPO')

We have appointed a DPO to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the DPO, Mike Flynn.

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

## Changes to this privacy notice

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal data.

## Right to withdraw consent

Where you have provided your consent to the collection, holding, transfer and otherwise processing of your personal data for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the DPO. Once we have received notification that you have withdrawn your consent, we will no longer process your personal data for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

## How to complain

If you have any concerns about our use of your personal data, you can make a complaint to our Data Protection Officer at:

Mike Flynn, DPO  
Scottish SPCA  
Kingseat Road  
Halbeath  
Dunfermline  
KY11 8RY  
✉ [feedback@scottishspca.org](mailto:feedback@scottishspca.org)

You also have the right to lodge a complaint with the data protection regulator, the Information Commissioner's Office, if you have concerns about how we use your personal information. You can contact the Information Commissioner's Office at:

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

## Questions

If you have any questions about this privacy notice, please contact the DPO, Mike Flynn, Email: [feedback@scottishspca.org](mailto:feedback@scottishspca.org)

