

## **Privacy Notice**

This survey is being carried out by researchers in Central Analysis Division in the Scottish Government.

There is the option for participants to provide information such as name and address. These details will be classed as personal data and subject to UK GDPR. However, the survey can be completed anonymously. This survey also collects information that is called 'special category data.' The examples of special category data in this survey are questions that ask about your health and ethnic origin.

### **Why we ask for this information?**

For this survey on culture, we want to make sure that we have a mix of people in Scotland who have different backgrounds, experiences and attitudes around culture. These experiences can sometimes be linked to things like your health. We have asked for certain special category data because it might tell us more about these different experiences.

If you wish to take part in any follow up research with the Scottish Government, we have included a check box for you to opt in. If you opt-in, we ask that you provide your name and email address so that we may contact you in the future.

### **What will we use your information for?**

This information will be used by a small team of government researchers to understand the different responses we receive. The researchers will then write an analysis report with main findings from the responses. This report will be published on the Scottish Government website a few months after the survey closes.

If you agree to your response being published, we may include a quote from your response in the final report. Any direct quotes in the report will be anonymised. Your name and contact details will never be published.

### **Lawful basis and special category data processing condition**

Under data protection law we are required to identify a 'lawful basis' under Article 6 of the United Kingdom General Data Protection Regulation (UKGDPR) to process your information. In this case, it is Article 6(1)(e): "performance of a task in the public interest" (commonly referred to as 'public task'), where that task is set out in law. Scottish Ministers' common law powers and Scottish Ministers' equalities-related duties under section 149(1) of the Equality Act 2010 and regulation 5(5) of the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 (SSI 2012/162) provide the required basis in domestic law. Policy-related research is a core function of government and this work is therefore a related and foreseeable use of the Scottish Government's powers, achievable only through the use of personal data.

As part of the survey, we also need to gather, use and process sensitive personal information about you, known as 'special category data' (for example ethnicity and health), to allow us to put people's experiences into context and understand

inequalities around cultural engagement. You can be confident that we ensure that this processing is proportionate and is necessary for social research purposes. The special category data processing condition being relied upon for this purpose is the UKGDPR Article 9(2)(g) condition that processing is necessary for reasons of substantial public interest, on the basis of domestic law. The "statutory etc and government purposes" substantial public interest condition at paragraph 6 of schedule 1 of the Data Protection Act 2018 provides the required basis in domestic law.

At the end of the survey you are asked if you would be willing to participate in possible follow up research. Email addresses are then collected only once your consent is given and are stored only so that candidates can be re-contacted in the future for these reasons. You may withdraw your consent at any time by contacting: [socialresearch@gov.scot](mailto:socialresearch@gov.scot)

### **How your information is held**

Your information will be held on a Microsoft Excel datasheet on a secure, Scottish Government server and will only be accessible to individuals within the Central Analysis Division. If you have opted-in to being contacted for future research, any identifying information (such as your name or email address, if you provide this) will be stored separately and securely from the survey responses.

We will treat the information you give in accordance with data protection legislation. All responses will be kept confidential and stored securely, to be used solely for research purposes now and in the future. A report containing the survey findings will be published by the Scottish Government on their website, later this year (2024).

At the end of the questionnaire you are asked if you would be willing to participate in possible follow up research. All information you supply to us, including your name, will be stored in a restricted access file.

### **Data protection rights**

Under data protection legislation you have a number of rights available to you:

- Right to be informed about the use of your data – this is done through this privacy notice
- Right of access, to receive a copy of personal data we hold on you
- Right of rectification, to have verifiably inaccurate data we hold corrected or updated
- Right to object to or restrict our use of your data, where we do not have an obligation to process it
- Rights related to automated decision making – we are not using this data to make decisions about individuals.

You can read more about your data rights here: [Your data matters | ICO](#).

Please note that these rights are not absolute, and may be subject to exemptions under

the Data Protection Act 2018. Where an exemption is applied to a requested right you will be informed of this.

### **Contacts for further information**

To contact the Scottish Government analysts leading on the this project, please contact [socialresearch@gov.scot](mailto:socialresearch@gov.scot)

### **Complaints**

If you are unhappy with how we have used your data, you can complain to the Information Commissioner's Office:

The Information Commissioner,  
Wycliffe House,  
Water Lane,  
Wilmslow,  
Cheshire,  
SK9 5AF,

Tel: 08456 30 60 60

Website: [www.ico.org.uk](http://www.ico.org.uk) – opens in a new window