

Collection of personal data - privacy notice

For the health and safety of the customers and staff in these premises, we are required to facilitate the collection of the name and contact details of visitors to these premises to support NHS Scotland's Test & Protect. This information will be used to enable NHS Scotland to contact you should you have been in the premises around the same time as someone who has tested positive for coronavirus. Contacting people who might have been exposed to the virus is an important step in stopping the spread. To assist us in doing this, we have registered for the NHS Check in Scotland service. This service is based on registering for a unique QR code for our venue, which we will ask you to scan with your mobile phone. This will take you to either a web form or, if you have downloaded it, the Check in Scotland app, to complete the check in process.

Why do we need to collect this data?

As stated above, the purpose for which we are processing your personal data is to assist with NHS Scotland's Test and Protect strategy in relation to the coronavirus public health epidemic.

This will involve the gathering and, when required, the sharing of information with NHS Scotland as the responsible body for Test and Protect. Your data will not be used for any other purpose.

In order to assist in the containment of the virus, data that is manually collected on premise will only be shared when it is requested directly by NHS Scotland.

In relation to the Check in Scotland service, the data you submit via the webform or the App will be automatically sent to NHS National Services Scotland to be held securely in an encrypted data store. This data will not be accessed unless required in response to an outbreak of the disease.

NHS National Services Scotland and locally based Health Board teams will use the data to contact trace those who were in the establishment at the same time as the positive case, and will provide guidance and support to those who may be advised to self-isolate. For further information on the NHS Scotland Test and Protect strategy please visit the [NHS website](#).

What data will we collect?

Along with the date and time of your **arrival** and **departure**, we will collect the following personal data if applicable:

- your name; and
- contact telephone number.

If you do not have a telephone number, you have the option to provide:

- a postal address; or
- an email address.

Where multi-household groups are present, we will collect contact details from a 'lead member' of each household, along with the number in attendance from each household within the group but we would encourage others in your household to also consider using the service.

What is our lawful basis for collecting and sharing this data?

Under data protection law, GDPR Article 6(1), we have a number of lawful bases that allow us to collect, process and share personal information. In this case, the lawful basis for processing your data is 'legal obligation'.

In short, we are obliged to process the personal data to comply with the law which requires us to collect your data and share it with public health officers if they request it under the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020.

The Regulations require us to facilitate the collection of the lead person's name and telephone number, the data of the visit and the arrival time and the number of people in the household visiting the premises at that time. The Regulations do not require the facilitation of collection of the departure time. This information has been considered necessary to collect in addition to the information stipulated in the Regulations to reduce the number of possible venue visitors who would be connected to an outbreak at the venue, thus

minimising the number of individuals whose data would require to be accessed for contact tracing in the event of an outbreak.

How long will we retain the data?

Your personal data, collected for the purposes stated in this privacy notice and will be held by us for at least 3 weeks (21 days). All personal data will be held and disposed of in a safe and secure manner.

Your rights

As defined in the data protection law, GDPR Article(s) 12-23, you have the following rights:

- The right to be informed about the collection and use of your personal data. This is outlined above.
- The right to access the information we hold about you. Also known as Subject Access Request (SAR). If you wish to exercise this right, please contact NHS National Services Scotland: nss.dataprotection@nhs.scot
- The right to request rectification of any inaccurate personal data we hold about you. In certain circumstances exemptions to these rights may apply. Should you wish to exercise this right, please contact the venue you visited and provide them with the updated information. Should you have already been contacted by a contact tracer in relation to your visit to the venue, please contact NHS National Services Scotland on nss.dataprotection@nhs.scot

Details of how to exercise these rights can be found in the Data Protection Impact Assessment for the Check in Scotland service.

Further information is available on the [Information Commissioner's Office website](#).

Do you have a complaint?

If you consider that your personal data has been misused or mishandled by us, you can raise this with the data controller. In this instance, the data controller is the manager of this venue. If you remain dissatisfied you can make a complaint to the Information

Commissioner, who is an independent regulator. The Information Commissioner can be contacted at:

Information Commissioner's Office Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

0303 123 1113

casework@ico.org.uk

Any complaint to the Information Commissioner is without prejudice to your right to seek redress through the courts.