

How we use your personal data

Ticket applicants

We, the Sheku Bayoh Public Inquiry, are the controller of the personal data that we process about you when you apply for a ticket to attend a public hearing of the Inquiry. This means that we are legally responsible for how we process personal data about you. It also means that we are required to comply with data protection laws when processing your personal data. This includes providing you with the details contained within this Notice of how we process your personal data, who we may share it with and your rights in relation to your personal data.

We have appointed a Data Protection Officer (“DPO”), Thorntons Law LLP. If you have any questions about this Notice or how we process your personal data, please contact them by e-mail at dataprotectionshekubayoh@thorntons-law.co.uk.

You can contact us by e-mail at hwt@shekubayohinquiry.scot

1. What personal data do we process about you?

When you apply for a ticket/attend the Inquiry, the following types of personal data that we collect from you are:

- name;
- accessibility needs;
- email address;
- telephone number;
- images caught by CCTV.

2. Why do we process this personal data about you?

We process this personal data to administer, organise and deliver the public hearings of the Inquiry in accordance with the terms of reference and the legislation applicable to inquiries, including the Inquiries Act 2005 and the Inquiries (Scotland) Rules 2007. In relation to CCTV, we process this for security purposes and prevention or detection of crime.

3. What is our legal basis for processing your personal data?

Data protection laws require us to have a legal basis for processing your personal data.

Our legal bases are:

- if you provide us with any accessibility information (health information), we will rely on substantial public interest to process this information, the interest being making public hearings accessible to the public. This is necessary for statutory and government purposes as part of the exercise of functions conferred on the Chair of the Inquiry by the 2005 Act and the 2007 Rules.
- we consider that it is necessary to process your personal data to fulfil our official duty relating to the administration, organisation and delivery of public hearings of the Inquiry.
- Legitimate Interest: it is in our legitimate interest to take reasonable steps e.g. CCTV for the purposes of security of staff and others attending the Inquiry and prevention or detection of crime.

4. Who do we share your personal data with?

We disclose your personal data to our third-party service providers including our IT service and document management system providers for the purposes of storing and accessing your personal data. We may also share your personal data with the police or other law enforcement agencies in the case of actual or suspected criminal activity involving you during a public hearing of the Inquiry. We may also share your information with the National Records of Scotland and other governmental agencies,

as well as our legal representatives and/or external DPO where appropriate and necessary.

5. What if you apply for a ticket on behalf of somebody else?

If you apply for a ticket on behalf of somebody else, you confirm that:

- the other individual is aware of this ;
- you have informed the other individual of the Inquiry's identity and the content of this Notice, including the purposes for which we will use that other individual's personal data; and
- the other individual has not objected to our use of that individual's personal data for the purposes described in this Notice.

This Notice will apply to our processing of the other individual's personal data in the same manner that it applies to your personal data.

6. Will your personal data be sent outside the UK?

Our IT service and document management service providers may be based or may make use of data storage facilities that are located outside the United Kingdom.

Their handling and use of your personal data will involve us and / or them transferring it outside the United Kingdom. When we and / or they do this, we will ensure similar protection is afforded to it by:

- only transferring it or permitting its transfer to countries that provide an adequate level of protection for personal data under data protection laws; or
- using specific contracts with such organisations, which are approved for use in the United Kingdom, and which give your personal data the same protection it has in the United Kingdom after it is transferred.

Please contact our DPO for further information on the specific mechanism used by us when transferring your personal data outside the United Kingdom.

7. How long do we keep your personal data?

We can keep your personal data for as long as we need to for the purposes described in this Notice, including to meet any legal requirements. To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we handle and use your personal data and whether we can achieve those purposes through other means, and the applicable legal or other requirements.

At the end of the Inquiry any personal data we still hold about you will be deleted. The exception to this is if this data is to form part of the historic record of the Inquiry, in which case it will be transferred to the Keeper of the Records of Scotland.

8. What rights do you have in relation to your personal data that we process?

It is important that the personal data that we process about you is accurate and current. Please keep us informed of any changes by contacting our DPO. Under certain circumstances, the law gives you the right to:

- Access a copy of your personal data and to check that we are processing it in accordance with legal requirements.
- Correct any inaccurate or complete any incomplete personal data that we process about you.
- Delete your personal data where there are no grounds for us continuing to process it. You also have the right to ask us to do this where you object to us processing your personal data.
- Restrict our processing of your personal data, for example, if you contest the accuracy of your personal data.
- Object to us processing your personal data where we rely on public task or legitimate interests.
- Obtain and reuse the personal data that we hold about you for your own purposes in certain circumstances.
- Withdraw consent at any time where we are relying on your consent to process your personal data.

Please contact our DPO if you wish to make any of the above requests. When you make a request, we may ask you for specific information to help us confirm your identity for security reasons. You will not need to pay a fee when you make any of the above requests, but we may charge a reasonable fee or refuse to comply if your request for access is clearly unfounded or excessive.

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

9. Feedback and complaints

We welcome your feedback on how we process your personal data, and this can be sent to our DPO.

You have the right to make a complaint to the Information Commissioner's Office ("ICO"), the UK regulator for data protection, about how we process your personal data. The ICO's contact details are as follows:

Telephone: 0303 123 1113 Website: <https://ico.org.uk/concerns/>

If you would like to receive this Notice in alternative format, for example, audio, large print or braille, please contact us.

10. Updates

We may update this Notice at any time, and we will provide you with an updated version when we are required to do so by law.

Last updated: October 2024