

Privacy Notice – Contacts Lists

Introduction

Bòrd na Gàidhlig is tasked by the Gaelic Language (Scotland) Act 2005 (the Act) to promote and develop the Gaelic language. As part of that role, we are required to regularly communicate with people who have a responsibility under the Act or those with an interest in Gaelic language, Gaelic education or Gaelic culture.

This privacy notice explains how Bòrd na Gàidhlig uses your contact details.

What information is collected?

Each department within Bòrd na Gàidhlig has contacts lists for specific purposes. The information we gather for each of the contacts lists will include your name and e-mail address. Where you are representing an organisation, we will record the organisation you represent and, if relevant, your job title. We may also ask for a contact telephone number although this will only be recorded where we have a specific requirement for it.

In some circumstances, if you hold any kind of public office or exercise functions of a public nature, we may also record and use your workplace address to send you hard copy information.

We do not add anyone to a contacts lists unless there is a specific reason to do so, which is explained further below.

How will my information be used?

Under the Act, Bòrd na Gàidhlig is obliged to:

1. Promote, and facilitate the promotion of:
 - i. the use and understanding of the Gaelic language, and
 - ii. Gaelic education and Gaelic culture
2. Advise (either on request or when it thinks fit) the Scottish Ministers, public bodies and other people exercising functions of a public nature on matters relating to the Gaelic language, Gaelic education and Gaelic culture
3. Advise (on request) other people on matters relating to the Gaelic language, Gaelic education and Gaelic culture.

Bòrd na Gàidhlig has a number of other roles laid down by the Act which are to:

- i. Communicate with relevant public authorities with regards to Gaelic Language Plans (GLPs), which includes issuing statutory notices, monitoring plan implementation, and reviewing GLPs;
- ii. Develop guidance (in consultation with stakeholders) for both the administration of GLPs and the provision of Gaelic education;
- iii. Develop the National Gaelic Language Plan.

To comply with these statutory obligations, Bòrd na Gàidhlig maintains the details of stakeholders and contacts.

The types of contact details we hold are:

- i. Details for those who are a contact on behalf of an organisation that is in receipt of support from Bòrd na Gàidhlig, which will usually be funding from one of our schemes. These contact details are used to manage the conditions of funding and the lawful basis for processing contact details for this purpose is the legitimate interests of both Bòrd na Gàidhlig and the organisation receiving support. It is in the interests of both organisations to ensure that the application for funding can be processed and administered, and that the conditions of funding are met. The same lawful basis will apply to any organisation voluntarily developing a GLP;
- ii. If you are a contact on behalf of an organisation, you may fall within the definition of a “corporate subscriber” (see the paragraph below on Privacy and Electronic Communications Regulations (PECR)). This will usually mean that your e-mail address relates to your organisation, for example, firstname.surname@gaidhlig.scot. We may also send you information that we believe will be of interest to your organisation, for example, notifications of when funding schemes open for applications. As above, contact details for this type of communication are processed in the legitimate interests of both Bòrd na Gàidhlig and the organisation the information is being sent to;
- iii. Where you have provided your own personal contact details on behalf of an organisation, for example you are using your own personal e-mail address as the contact for a community group funding application or for the administration of an early years group, you will not be a corporate subscriber. This means that, while we will use your contact details to administer funding or for group-related matters as outlined in paragraph i above, we will need consent to send you any promotional e-mails. This is a requirement under PECR as explained below;
- iv. Those required to enable Bòrd na Gàidhlig to discharge their legal obligations. The use for legal purposes is extremely limited and if your contact information being used for this purpose, it will be clearly explained within the communication you receive. One example may be where you have submitted a request under the Freedom of Information (Scotland) Act 2002 (FOI) to which Bòrd na Gàidhlig will be legally required to respond. Please note that those making FOI requests are not automatically added to contacts lists;
- v. Details of people who have provided their personal contact details to receive promotional information in a personal capacity and are not representing an organisation. These details will always be processed under the lawful basis of consent as explained below.

Privacy and Electronic Communications Regulations (PECR)

The PECR are separate to the GDPR and contain additional requirements about what must be in place for electronic marketing activities.

Where Bòrd na Gàidhlig is promoting the work that they do or services available, some communications will be covered by the PECR. This means that, where we use an individual's contact details for promotional and marketing purposes, we must have consent where communications are electronic.

If you have provided a personal e-mail address, we will therefore ask you for consent to send you information that is considered to be marketing by email, fax, text, or other electronic message. **Please note that if you don't give your consent, we will be unable to send you any promotional information, including information about new funding schemes or other support.**

The requirement to obtain consent does not apply to those who are classed as a "corporate subscriber" although you still have the right to object to direct marketing, outlined under Additional Rights.

Where we have obtained your consent to send you electronic marketing materials, you may withdraw your consent at any time. Please note that while you will be removed from marketing lists with immediate effect, you may continue to receive communications from Bòrd na Gàidhlig where it is being used for purposes other than marketing, for example, for the purposes of managing the conditions of funding a group has been awarded.

Bòrd na Gàidhlig has data processing agreements in place with organisations processing personal data on our behalf which require processing to be carried out within the EEA. As far as we are able to establish, any information you provide will not be transferred internationally.

Will my information be passed to anyone else?

Your communication will be dealt with by the most appropriate team within Bòrd na Gàidhlig.

Bòrd na Gàidhlig uses a data processor to manage the majority of IT services on its behalf.

Bòrd na Gàidhlig may occasionally pass your contact details to a third party supplier who is providing a service on our behalf, or for research purposes. Your information will only be shared where it will be used for a purpose that is compatible with the purpose for which your information is collected in the first instance, and appropriate safeguards are in place.

We will never pass personal contact information to any other third party without your explicit consent, unless there is a statutory requirement to do so or the processing is otherwise lawful.

What happens when my information is no longer required?

Our contacts lists are managed in accordance with Bòrd na Gàidhlig's retention schedules. They are regularly reviewed to ensure they remain accurate and up to date, and we will occasionally ask you to verify your details. Where you have requested to be placed on one of our contacts lists we may sometimes contact you to confirm you wish to continue to receive our information if we haven't received any communication from you for some time.

Contacts will be removed as soon as they cannot be verified, or by request, with immediate effect. Please note that your details and any related correspondence may continue to be

held for other purposes as described above, for example, if it is required to meet a statutory obligation for the GLPs.

Additional Rights

Under the GDPR, you have a number of rights in relation to your personal information. You have the right to:

- i. request access to your personal information;
- ii. request rectification of your personal information which means you are able to have inaccurate personal information corrected without undue delay;
- ii. request erasure of your personal information when certain conditions apply;
- iii. restrict processing under certain circumstances;
- iv. object to processing;
- v. data portability in some circumstances.

Requests that relate to rectification, erasure or restricting processing will be passed to any recipients of your personal information. Details of recipients can be found under the section *Will My Information be Passed to Anyone Else?*

There may be occasions when Bòrd na Gàidhlig is unable to comply with requests to exercise the rights above. Should this apply to a request you make, it will be explained to you why Bòrd na Gàidhlig is unable to comply with the request and any options available.

Where your personal information is being processed using consent, one further right is the right to withdraw your consent at any time. You should be aware that, while Bòrd na Gàidhlig will stop using your information for that purpose with immediate effect, it may not always be possible to remove information from the public domain, for example where it has been used in hard copy publications. You should also be aware that the ability to withdraw consent only applies to information considered to be personal. It does not apply to information about groups or organisations. You can find out how your personal information is being lawfully processed under the section *How Will My Information Be Used?*

You may withdraw your consent at any time for allowing your information to be used for marketing purposes.

Complaints

Should you be unhappy with the way in which Bòrd na Gàidhlig have processed your personal data, you have the right to lodge a complaint with the Information Commissioner, who regulates data protection legislation across the UK. Their contact details can be found at <https://ico.org.uk/>.

Contact Details

Bòrd na Gàidhlig is the Data Controller (or Controller) for information collected and processed for the purposes of managing stakeholder and other contacts lists. Website: <http://www.gaidhlig.org.uk/bord/en/>.

If you have any queries regarding any of the information in this privacy notice, in the first instance please contact:

Head of Corporate Services/Data Protection Officer
Bòrd na Gàidhlig

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