

## Privacy Notice – Publication of Personal Information

Bòrd na Gàidhlig is tasked by the Gaelic Language (Scotland) Act 2005 (the Act) to promote and develop the Gaelic language.

This privacy notice explains in what circumstances personal information may be published by Bòrd na Gàidhlig such as in digital or hard copy publications and on social media.

### What Information Is Collected?

As a public sector organisation that is responsible for the promotion of Gaelic, Bòrd na Gàidhlig publishes a wide range of information that includes personal data from a number of different categories of data subjects. These include:

- Images of employees and information relevant to their public-facing role. Where employees are senior members of staff, salary information will also be published in the annual report;
- Images and information about those learning Gaelic or who are part of the Gaelic community. This can include how people have developed their Gaelic language skills, their experience as a Gaelic learner or speaker, contributions they may have made to developing the Gaelic language or culture, and their aspirations with regard to Gaelic;
- Images and other information about people who are working with or supporting Bòrd na Gàidhlig or Gaelic initiatives. This could include partner organisations as well as individuals that are involved in events or projects. Any information collected will always relate specifically to the activity they are involved with.

Where images are collected, we will also collect basic contact details (usually name and e-mail address) to ensure we are able to comply with any subsequent data subject requests.

Bòrd na Gàidhlig is also subject to freedom of information (FOI) legislation and will publish personal information that has been requested unless an exemption applies. This is explained further in the section below.

### How Will Bòrd na Gàidhlig Use My Information?

Your personal information will be used for promotional purposes including hard copy and on-line publications. Where you are an employee, your information will also be used for corporate governance purposes such as the production of annual reports and responding to requests for information.

Where a person is identifiable from text or images, Bòrd na Gàidhlig will usually process your personal information based on your consent and will normally ask you to sign a form to say that the information in this notice has been made available to you and that you consent to your personal information being used for this purpose. **Please note that regardless of your relationship to Bòrd na Gàidhlig, you are not required to give your consent if you do not wish to participate.** You may withdraw your consent at any time.

For any activities relating to corporate governance, the lawful basis for processing information is that it is necessary for the performance of a task carried out in the public interest or in the exercise of the official authority vested in the controller. This will include the publishing of salary information in the annual report.

There may be some limited circumstances in which personal data is processed using the lawful basis of legitimate interests as it is in Bòrd na Gàidhlig's interests to be able to effectively promote the Gaelic language and culture. This will usually be where people are not easily identifiable, or there were a very large number of people participating in an event and it was not feasible to collect consent from every individual, or where you are a Bòrd na Gàidhlig employee. This is because consent cannot be used as a lawful basis by employers to process personal information about their employees.

At events where there are large numbers of people and images are being taken on behalf of Bòrd na Gàidhlig, you will always be given the option of being placed in an area that will not be included in images.

Bòrd na Gàidhlig will also use legitimate interests to publish any information that is disclosed in response to an FOI request and, very occasionally, where information is proactively published.

#### *Using Children's Information*

Bòrd na Gàidhlig is proud of the work it does with Early Years and schools, and this often features in our promotional information. However we also recognise the need to ensure any personal information relating to children is adequately protected and have procedures that must be followed to use information about children in promotional material. Information is processed using the lawful basis of consent and where a child is 12 years or over, they are usually able to provide consent for themselves under data protection laws. Where a child is under 12 years old a person with parental responsibility can provide consent on behalf of a child.

#### **Will My Information Be Passed To Anyone Else?**

Bòrd na Gàidhlig may contract another organisation to collect and manage promotional activities on our behalf.

Data processing agreements are place with all organisations that process personal information on Bòrd na Gàidhlig's behalf, which require processing to be carried out within the EEA, or for appropriate safeguards to be in place where it is carried out by an international organisation.

Bòrd na Gàidhlig has a contracted service for the provision of a Data Protection Officer (DPO) and your information may be processed in the course of that service being provided, for example for the purposes of auditing data protection compliance.

**Please note – your personal information may be posted on our website or a social media platform. It may also be included in a hard copy publication. This means that your personal information is highly likely to be transferred outside of the EEA.**

Your rights (detailed below) will still apply although once published in any media, Bòrd na Gàidhlig will be limited in the way in which it is able to apply some of your rights and subsequent uses of the information by other individuals or organisations.

#### **What Happens To My Information When It Is No Longer Required?**

Images and other promotional information are regularly reviewed to ensure they remain current and are destroyed when no longer required. Information relating to employees is usually retained for six years from the date an employee leaves the organisation although it should be noted that some publications that Bòrd na Gàidhlig is required to produce, including the annual report, are required to be retained permanently and will be sent to the National Records of Scotland for permanent preservation.

## **Additional Information**

### *Your Rights*

As explained above, you may withdraw your consent for using your personal information for promotional purposes 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 content from the public domain, for example where it has been used in hard copy publications.

You also have the right to:

- i. Request access to your personal data.
- ii. Request rectification of your data which means you are able to have inaccurate personal information corrected without undue delay. There may be some circumstances in which Bòrd na Gàidhlig is unable to comply with requests to rectify or destroy information, for example if information must be retained in the original format to fulfil legal obligations. 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 when it is anticipated the information will be rectified.
- iii. Request erasure of your personal information when certain conditions apply.
- iv. Restrict processing under certain conditions.
- v. Object to processing.
- vi. Data portability in some circumstances.

### *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 Controller for information collected and processed for the purposes of administering funding streams. 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:

Data Protection Officer  
Bòrd na Gàidhlig  
Great Glen House  
Leachkin Road  
Inverness IV3 8NW  
[ofis@gaidhlig.scot](mailto:ofis@gaidhlig.scot)  
01463 225454

## Declaration of Consent Publication of Personal Data

Between  
Bòrd na Gàidhlig  
and

<b>First Name</b>		<b>Last Name</b>	
<b>Address*</b>		<b>E-mail*</b>	
<b>Telephone number*</b>		<b>Date</b>	

\*You only need to provide one of these fields, which is required to help verify your identity in future correspondence. If you are providing consent on behalf of a child, please enter your details above and the child's (or children's) details below.

### Declaration of Consent

For full details of the purposes listed below, please see the privacy notice.

Cuir cromag sa bhogsa airson gach cleachdadh dealbh/bhidio leis a bheil sibh toilichte, agus cuir ur n-ainm ris an fhoirm.

*Please tick the box of all photo/video uses you consent to, then sign this form.*

Tha mi a' toirt cead do Bhòrd na Gàidhlig an dealbh agam a chleachdadh ann am foillseachaidhean clò-bhuailte agus didseatach, a' gabhail a-steach cuairt-litrichean.  
*I give permission for my photograph to be used within Bòrd na Gàidhlig's printed and digital publications, including newsletters.*

Tha mi a' toirt cead do chom-pàirtichean Bhòrd na Gàidhlig dealbhan dhìom a chleachdadh ann am foillseachaidhean clò-bhuailte is didseatach eile.  
*I give permission for my photograph to be shared with third parties and used within other printed and digital publications produced by Bòrd na Gàidhlig's partners.*

Tha mi a' toirt cead do Bhòrd na Gàidhlig na dealbhan dhìom a chleachdadh air an làrach-lìn/meadhanan sòisealta aca.  
*I give permission for my images (video or photographs) to be used on Bòrd na Gàidhlig's website or social media platform (such as Instagram, Twitter, Facebook/Meta).*

I understand that I am not required to participate in this initiative and am under no obligation to provide any personal information. Should I choose not to participate, I understand that no records of that decision will be retained.

I understand that I can withdraw my consent at any time by contacting Bòrd na Gàidhlig [oifis@gaidhlig.scot].

Signature

Date

### Personal Information Relating to Children

I confirm that I have parental responsibility for the children named below (who are aged 12 years or under) and consent to the use of their personal information, including images where collected, for the purposes described above.

<b>Name &amp; Age</b>		<b>Name &amp; Age</b>	
<b>Name &amp; Age</b>		<b>Name &amp; Age</b>	

Signature

Date