



2022 Local Government Candidate Diversity Survey – Privacy Notice

The Scottish Government takes the security of your personal data very seriously. This statement sets out why we ask for your information, what we need and how we will use it.

Why we ask for this information

The information from the 2022 local government candidates diversity survey will be used to gain a better understanding of who stands, and who is elected in councils in Scotland. This is important so that we can understand how representative our candidates and elected members are of the communities they serve.

Your responses will make a really valuable contribution to improve the quality of data available to inform policies and initiatives. The more candidates who agree to take part, the more reliable the results of the survey will be. However, taking part in the survey is voluntary.

The survey will collect data on the demographic characteristics, previous experience and caring responsibilities of candidates and elected members at the 2022 local government election in Scotland.

The survey aims to enable analysis and reporting both on the diversity of all candidates for the 2022 local government elections, as well the diversity of the cohort of councillors elected. To avoid the need for two separate data collection exercises, and the associated risk that newly (re)elected councillors may not be keen to fill in the same form a second time in the aftermath of the election, we are asking for candidate names. For more information of what we will do with the names please see below.

Lawful basis

Under data protection law we are required to identify a 'lawful basis' from Article 6 of the United Kingdom General Data Protection Regulation (UKGDPR) – in this case, it is "performance of a task in the public interest" (commonly referred to as 'public task'), where that task is set out in law, which here includes the section 149 (public sector equality duty) and section 1 (the fairer Scotland duty) of the Equality Act 2010.

As part of the survey, we also need to gather, use and process sensitive personal information about you (special category data, for example ethnicity, religion or health), to allow us to produce statistics on the demographic characteristics of candidates and elected members in Scotland. You can be confident that we ensure that this processing is proportionate and is necessary for statistical research purposes under UKGDPR (Article

6(1)(e) and Article 9(2)(g)) and of the Data Protection Act 2018 section (Section 10(3) and paragraph 8 of schedule 1).

At the end of the survey candidates are asked if they would like to be sent a copy of the report and/or if they would be willing to participate in possible follow up research. If they say yes to either options, they are asked to provide their email address. 'Consent' is the legal basis for processing this data. Candidates have the option to withdraw their consent at any time by contacting the Scottish Government analysts leading on the this project: diverserepresentationdata@gov.scot or calling 07973 949 256.

How will we collect this information?

Analysts in the Scottish Government have been working with the Electoral Management Board for Scotland (EMB), the Electoral Commission (EC), COSLA and the Improvement Service to organise the survey.

All candidates standing for election at the 2022 local council elections are being invited to complete a brief questionnaire. The survey is not a mandatory part of your nomination paperwork, but we would be extremely grateful for your participation so that the data gathered will provide a representative overview of the demographic characteristics of candidates and elected members.

Data will be collected on the following protected characteristics:

- Age
- Sex
- Gender reassignment
- Disability
- Race
- Religion or belief
- Sexual orientation

The questionnaire has been developed with input from stakeholders and academics, and most of the questions mirror questions in the 2022 Census and/or the Scottish Household Survey so that we can compare outputs from the survey to the national picture.

You have the option to complete a paper questionnaire or complete the form online ensuring your needs and preferences are met and to enable participation by all. For privacy, you will return your paper form in a sealed prepaid return envelope.

The APS Group and Questback will act as data processors for the Scottish Government for this survey. They will both process candidate's personal information on behalf of the Scottish Government. APS will capture data from the paper questionnaires and Questback will process (store) all the data from the online questionnaires. Data files of all the information reported on the forms will then be securely transferred to the Scottish Government. The paper and online responses held by APS and Questback will be deleted and /or destroyed after the data has been securely transferred

How will the information be used?

Once the outputs from the survey have been published, the information will help organisations such as Cosla and the Improvement Service have a better understanding of

the diversity characteristics of candidates. It will allow such organisations to provide appropriate support to elected members, as well as inform ways in which they can encourage candidates from a range of backgrounds to stand in future elections.

The Scottish Government will use this data to create statistics to:

- Compare diversity characteristics of candidates and elected members with Scotland's population;
- Compare the diversity of successful and unsuccessful candidates at the 2022 election;
- Provide intersectional analysis where possible; and
- Compare the profile of new candidates and elected members with those who have stood / served as elected members previously (if the question on previous experience is included).

Data tables accompanying a publication will comply fully with data protection laws and disclosure controls will be applied to all data before its release. Aggregated national-level data will be provided by protected characteristic. Data on some protected characteristics (e.g. age, sex) may be able to be broken down by local authority, but where numbers of individuals with certain characteristics or combinations of characteristics is small, this will not be provided for data protection reasons. A third party may be contracted by the Scottish Government to analyse and write up the findings of the survey before publishing on the Scottish Government website following the results of the election. If data is shared with a third party, only pseudonymised data would be shared.

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 statistical and research purposes now and in the future. The report of aggregated findings will be published by the Scottish Government following the results of the election.

Names collected as part of the exercise will be stored separately to your responses, which will only be linked to your name by a unique identifier. Both names and responses will be stored securely in accordance with data protection laws. Names will be deleted within 30 days of the Scottish Government receiving the full dataset, and only aggregated data will be published with the survey findings.

At the end of the questionnaire you are asked if you would like to be sent a copy of the report and/or if you would be willing to participate in possible follow up research. Email address 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: diverserepresentationdata@gov.scot or call 07973 949 256.

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 have your data deleted, where we do not have an obligation to retain it
- 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 diverserepresentationdata@gov.scot or call 07973 949 256.

If you wish to make a complaint about our use of data, you can contact the Scottish Government's Data Protection Officer at: dataprotectionofficer@gov.scot.

If you have any concerns about how your information is being used, you have the right to complain to the Information Commissioner's Office, the supervisory authority responsible for data protection in the UK: www.ico.org.uk/concerns/handling.