

Item	Response	Information for release
<p>1. A copy of your organisation's Records of Processing Activity (ROPA) as defined in Article 30 of the UK General Data Protection Regulation (UK GDPR).</p>	<p>We keep some of our Records of Processing Activities in the corporate information asset register (IAR) – the rest is in records held across the organisation.</p> <p>The UK GDPR requirement is for organisations to keep records, not a register.</p> <p>Please find attached the Core Scottish Government information assets with personal data.</p> <p>We can provide more information if you can limit the request to a specific project or policy area.</p>	<ul style="list-style-type: none"> <li>- ROPA – Information asset register 29 June 2023</li> </ul> <p>(Document sent as email attachment)</p>
<p>2. A copy of all legitimate interest assessments conducted by your organisation where you rely on Article 6(1)(f) legitimate interests as your lawful basis for processing.</p>	<p>The Scottish Government generally doesn't rely on Legitimate Interest as a lawful basis. However, please find attached a copy of the requested documents.</p> <p>An exemption under section 30(c) of FOISA (prejudice to effective conduct of public affairs) applies to some of the information requested. It is essential for officials to be able to communicate with each other, receive advice from specialists (including the Data Protection Unit) and agree an approach to the lawful basis on which personal data may be processed. Disclosing the content of these communications is likely to result in discussions about data protection approaches, in particular assessments of lawful bases, being less detailed, which would diminish the quality of the advice provided. This would be the case in particular where a data subject complained and / or the Information Commissioner's Office sought to investigate the lawful basis for processing of personal data. It would be for the Commissioner to decide whether SG had complied with GDPR obligations and this takes into account comments offered by public authorities. It would substantially inhibit authorities' ability to offer comments in support of their approach and to participate fully in any investigation if they were required to disclose the underlying advice on which that approach was based in advance of any</p>	<ul style="list-style-type: none"> <li>- CPF Distribution List – Legitimate Interest Assessment (LIA) – September 2019</li> <li>- Asylum and refugee integration – Contact List- GDPR – Legitimate Interest Assessment – 24 May 2018</li> </ul> <p>(Documents sent as email attachment)</p>

	<p>complaint or investigation. It would unduly constrain authorities' ability to consider a complaint or engage with the ICO if they have already had to disclose the underlying advice on data protection approaches that they have received.</p> <p>This exemption is subject to the 'public interest test'. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in upholding the exemption. We have found that, on balance, the public interest lies in favour of upholding the exemption. We recognise that there is a public interest in disclosing information as part of an open, transparent and accountable government. However, there is a greater public interest in ensuring that Minister and officials are able to discuss and agree an approach to the data protection obligations and in ensuring that authorities are able to fully consider any complaints or participate fully in any investigation process.</p> <p>We may be able to provide you with another document as part of this request, but we are still reviewing this internally. We will be in touch once we have decided whether or not the document can be released.</p>	
<p>3. A copy of all privacy impact assessments conducted by your organisation.</p>	<p>We have conducted preliminary searches for "privacy impact assessment" and "PIA" which returned reference to <b>2,942</b> documents, providing this information would be well over the cost limit.</p> <p>While our aim is to provide information whenever possible, in this instance the costs of locating, retrieving and providing the information requested would exceed the upper cost limit of £600. The reason for this is that to locate and retrieve that information, we would need to conduct a search of all of the records of the Scottish Government.</p> <p>Under section 12 of FOISA, public authorities are not required to comply with a request for information if the authority estimates that the cost of complying would exceed the upper cost limit, which is currently set at £600 by regulations made under section 12.</p>	

	<p>You may, however, wish to consider reducing the scope of your request in order that the costs can be brought down below £600. For example, you could specify the subject matters of the data protection impact assessments that you are interested in, or restrict your request to a specific business area of the Scottish Government. This would allow us to limit the searches that would be required to be conducted. You may also find it helpful to look at the Scottish Information Commissioner's Tips for requesting information under FOI and the EIRs on his website at:</p> <p><a href="http://www.itspublicknowledge.info/YourRights/Tipsforrequesters.aspx">http://www.itspublicknowledge.info/YourRights/Tipsforrequesters.aspx</a></p>	
<p>4. A copy of all data protection impact assessments conducted by your organisation.</p>	<p>We have conducted preliminary searches for "data protection impact assessment" and "DPIA" which returned reference to <b>6,832</b> documents, providing this information would be well over the cost limit.</p> <p>While our aim is to provide information whenever possible, in this instance the costs of locating, retrieving and providing the information requested would exceed the upper cost limit of £600. The reason for this is that to locate and retrieve that information, we would need to conduct a search of all of the records of the Scottish Government.</p> <p>Under section 12 of FOISA, public authorities are not required to comply with a request for information if the authority estimates that the cost of complying would exceed the upper cost limit, which is currently set at £600 by regulations made under section 12.</p> <p>You may, however, wish to consider reducing the scope of your request in order that the costs can be brought down below £600. For example, you could specify the subject matters of the data protection impact assessments that you are interested in, or restrict your request to a specific business area of the Scottish Government. This would allow us to limit the searches that would be required to be conducted. You may also find it helpful to look at the Scottish Information</p>	

	<p>Commissioner's Tips for requesting information under FOI and the EIRs on his website at:</p> <p><a href="http://www.itspublicknowledge.info/YourRights/Tipsforrequesters.aspx">http://www.itspublicknowledge.info/YourRights/Tipsforrequesters.aspx</a></p>	
5. A copy of all international transfer risk assessments conducted by your organisation.	<p>While our aim is to provide information whenever possible, in this instance the Scottish Government does not hold the information you have requested.</p>	
6. A recent copy of your organisation's data protection compliance assessment using the Information Commissioner's Office (ICO)'s accountability framework template. If you are using your own standards to monitor compliance with the Data Protection 2018, please provide me with copy of it.	<p>Scottish Government does not use the ICO accountability framework.</p> <p>While our aim is to provide information wherever possible, in this instance the Scottish Government does not hold the information which you have requested.</p> <p>The most recent formal assessment of compliance was provided by a consensual audit by ICO published in 2023. This can be found at the following link:</p> <p><a href="#">Scottish Government   ICO</a></p>	
7. A copy of your organization's data protection policy.	<p>Please find attached a link to the Scottish Government's internal data protection policy.</p> <p>Our Appropriate Policy is published on the gov.scot website. All of the information you have requested is available from the following link: <a href="#">Appropriate Policy</a>.</p> <p>Under section 25(1) of FOISA, we do not have to give you information which is already reasonably accessible to you. If, however, you do not have internet access to obtain this information from the website listed, then please contact me again and I will send you a paper copy.</p>	<p>- Data_Protection_Policy_Scottish_Government (Document sent as email attachment)</p>

<p>8. A copy of your organization's subject access request policy, procedures, and processes, including any guidance material such as folder structure, naming conventions, and redaction guides.</p>	<p>Responding to subject access requests is covered in the policies at number 7.</p> <p>Please find attached a copy of the Scottish Government's internal subject access request procedure.</p>	<ul style="list-style-type: none"> <li>- Subject Access Request Procedure Version 1.0</li> <li>- Redacting information guidance intranet</li> </ul> <p>(Documents sent as email attachment)</p>
<p>9. A copy of your organisation's privacy notices, including but not limited to employees, customers, ministers, special advisors (SPADs), complaints, NEDS, visitors, and CCTV.</p>	<p>The Scottish Government privacy policy in relation to communications from members of the public is published on gov.scot</p> <p>The information you have requested is available from the following link : <a href="#">Scottish Government privacy policy</a>.</p> <p>Under section 25(1) of FOISA, we do not have to give you information which is already reasonably accessible to you. If, however, you do not have internet access to obtain this information from the website listed, then please contact me again and I will send you a paper copy</p> <p>Please find attached a link to the People Directorate's general privacy notice.</p> <p>We have conducted preliminary searches for "privacy notice" and "privacy policy" which returned reference to <b>7,299</b> and <b>3,787</b> documents respectively, providing this information would be well over the cost limit.</p> <p>While our aim is to provide information whenever possible, in this instance the costs of locating, retrieving and providing the information requested would exceed the upper cost limit of £600. The reason for this is that to locate and retrieve that information, we would need to conduct a search of all of the records of the Scottish Government.</p> <p>Under section 12 of FOISA, public authorities are not required to comply with a request for information if the authority estimates that</p>	<ul style="list-style-type: none"> <li>- People Directorate privacy notice</li> </ul> <p><i>Please be aware that this Privacy Notice is under active review. In particular, please note that in section 4 - Candidates for Employment - iCIMS has replaced Vacancies Online and Peoplesolutions, and we no longer use Capita to support the recruitment process. These changes have not yet been reflected in our intranet guidance although this will be updated in due course as part of the review.</i></p> <ul style="list-style-type: none"> <li>- Candidate privacy notice</li> </ul> <p>(Documents sent as email attachments)</p> <p>Senior Civil Servants Register of Interests Privacy Notice (gov.scot)</p> <p><a href="#">Senior civil servants - register of interests: privacy notice - gov.scot (www.gov.scot)</a></p>

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<p>10. A copy of your organisation's due diligence questions for vendor management such as independent data controllers or processors.</p>	<p>Please find attached the Scottish Government's data processor assurance assessment form.</p>	<p>- Data Processor Assurance Assessment Form (Document sent as email attachment)</p>