

PRIVACY NOTICE- COVID-19 SCOTTISH SEAFOOD BUSINESS RESILIENCE FUND

Who are we?

Food and Drink Industry Growth Team is part of the Scottish Government, responsible for the support and growth of Scotland's food and drink industry, and to work with the sector to ensure it impacts positively on public health, environmental sustainability and Scotland's international reputation.

Ensuring Scottish Food and Drink businesses remain viable during this public health crisis in order that they can continue to contribute to the economy is a key priority.

What data do we collect about you?

The Scottish Ministers have made available a Scottish Seafood Business Resilience Fund to provide emergency support to undertakings carrying on seafood processing and other seafood businesses, including sole traders, who have suffered sudden shortages or unavailability of finance due to the COVID-19 pandemic. Grant payments are made under and are subject to the rules and conditions of the Temporary Framework for State aid measures to support the economy in the current COVID-19 outbreak, as amended¹ ("**Temporary Framework**"). The Scottish Ministers have powers under sections 4 and 6 of the Small Landholders (Scotland) Act 1911, section 8 of the Industrial Development Act 1982 and section 37 of the Aquaculture and Fisheries (Scotland) Act 2007 to make grant payments.

We will collect data about you when you apply to the Scottish Seafood Business Resilience Fund.

We will collect the following data, including personal data, about you and your business to process your application under the Scottish Seafood Business Resilience Fund: name, address, email address, phone number, bank details, information about the undertaking, including financial information, previously received and pending aid and business earnings data for last 3 years..

Scottish Ministers are the data controller in respect of any personal data that you provide when you complete the grant application form for the Scottish Seafood Business Resilience Fund. You can visit our [ICO registration here](#).

Legal basis for processing your data?

The legal basis for processing your data, in relation to assessing the grant application and related activities is that it is necessary for the performance of a task, which is carried out in the public interest or in the exercise of official authority vested in the Scottish Government (the controller): Article 6(1)(e) of GDPR.

¹ https://ec.europa.eu/competition/state_aid/what_is_new/sa_covid19_temporary-framework.pdf. The Temporary Framework was amended on 3 April 2020
https://ec.europa.eu/commission/presscorner/detail/en/IP_20_570

The legal basis for processing your data, in relation to public publishing of grant information (see below) is that it is necessary for compliance with a legal obligation to which the Scottish Government (the controller) is subject: Article 6(1)(c) of GDPR.

This privacy notice is made under Article 13 of GDPR.

How will we use the data about you?

We will use the data for the purposes of administering the Scottish Seafood Business Resilience Fund, including assessing your grant eligibility and making grant payments under the Scottish Seafood Business Resilience Fund.

Under the Temporary Framework we are required to publish relevant information on each individual aid granted under the Scottish Seafood Business Resilience Fund. Additionally Scottish Ministers are under obligations to publish certain grant information under the Public Services Reform (Scotland) Act 2010. We will therefore publish information, which may include your personal data, on the relevant section of the Scottish Government website. Data which we are required to publish includes the name and identifier of grant beneficiary, type of enterprise (sole trader, partnership or company), region in which the beneficiary is located, sector of activity, amount of grant, objective of the grant, granting authority and date of grant award.

For the purpose of audit evaluation, information (including personal data and commercial information) may be shared with other government departments in the UK, and other government agencies and their agents including HMRC.

How long will the Scottish Government keep your data?

We keep the data for as long as the Scottish Seafood Business Resilience Fund exists and to enable the full wind up of the process; this will include data associated with your application as specified in the section above.

As with all emergency payments schemes, the detailed data you provide to us when you claim, and data provided for other Scottish Government services are kept after the claim ends for the period necessary for any appeals, reviews and other activity to be completed. Payment records may be kept for longer, usually 6 years if they are relevant to the tax that you might have to pay.

The Scottish Government holds different types of data for a variety of different reasons, but we are committed to keep only what we need for no longer than is necessary.

Release of Information Under Freedom of Information (Scotland) Act 2002 and under the Environmental Information (Scotland) Regulations 2004

The Scottish Government may be required to release information, including personal data and commercial information in relation to the Scottish Seafood Business Resilience Fund, on request under the Environmental Information (Scotland) Regulations 2004 or the Freedom of Information (Scotland) Act 2002. However, the Scottish Government will not permit any unwarranted breach of confidentiality nor will

we act in contravention of our obligations under the General Data protection Regulation (GDPR) and the Data Protection Act 2018.

Access to your personal data and correction

You have the right to request a copy of the personal data that we hold about you. If you would like a copy of some or all of your personal data, please email or write to us at the following address:

<https://www.gov.scot/publications/subject-access-request-form/>

We want to make sure that your personal data is accurate and up to date. You may ask us to correct or remove personal data you think is inaccurate.

Changes to our privacy notice

The Scottish Government will keep this privacy policy under regular review and we will place any updates on our web page. This privacy notice was last updated on 31 March 2020.

How to contact us

The Scottish Government will endeavour to meet the highest standards when collecting and using your personal data. For this reason, we take any complaint we receive about the way in which we handle your data very seriously. Please contact us if you have any questions about our privacy notice or data we hold about you at: dpa@gov.scot

Complaints - Scottish Government's Data Protection Officer (DPO)

You can raise any concerns with our DPO. The Scottish Government's DPO is Stuart Gardner and his role is to ensure that the Scottish Government is compliant with data protection laws and to act as a point of contact for data subjects.

You can contact the DPO at the address below:

Data Protection Officer
Victoria Quay
Commercial Street
Edinburgh
EH6 6QQ

Email: DataProtectionOfficer@gov.scot

Appeals

If you have already made a complaint to us and are not happy with the outcome, you have the right to lodge a complaint with the Information Commissioner's Office . The ICO are the supervisory authority responsible for data protection in the UK.

The Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 08456 30 60 60
Website: www.ico.gov.uk

You can also report any concerns to [ICO](#) here.

Scottish Government
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