

Data Protection – Privacy notice

The information you provide in connection with this application, to the extent it constitutes personal data, will be processed in accordance with the current UK data protection laws.

Controllers in relation to your data

The firm to which you are applying will be a controller in relation to the information it seeks from you to assess your suitability for a traineeship (e.g. the information provided in Form A and Form B of this application). Please consider the firm's own privacy notice for further information about the way it processes personal data.

The firm to which you are applying will provide to the Law Society of Scotland certain information about you and such information is required in order for the Law Society of Scotland to carry out its regulatory role. The Law Society of Scotland is a controller in relation to such personal data and more information about the Law Society of Scotland's processing activities can be found here <https://www.lawscot.org.uk/website-terms-and-conditions/privacy-policy/>

As the funder of the legal aid traineeships fund, the Scottish Ministers also require to process certain information about you for the purposes of operating and monitoring the fund under which the firm to which you are making this application may apply for part funding of your traineeship. The Scottish Ministers are a controller in relation to your personal data processed for this purpose and engage the Law Society of Scotland as a processor in the role of administering the funding.

The type of information made available to the Scottish Ministers includes: the information included on your application form; information about recruitment or employment of you under the legal aid traineeships fund; your name; address (personal and business); date of birth; email address (personal and business); previous education, qualification and employment information; references; information you provide in your personal statement; information on performance under traineeship and, where relevant, details of termination of traineeship. The Scottish Ministers are also interested in diversity monitoring related to this fund and will receive and process anonymised information from your application, including: gender identity; type of school attended; details of household circumstances in childhood (e.g. family/carer occupation); sexual orientation; ethnic or racial origin and health information.

The Scottish Ministers

The contact details for the Scottish Ministers are:

The Data Protection and Information Assets Team
Information and Technology Services (iTECS)
V Spur
Saughton House
Broomhouse Drive
Edinburgh
EH11 3XD
Email: dpa@gov.scot

Data Protection Officer
Stuart Gardener
Victoria Quay
Edinburgh
EH6 6QQ
Email: DataProtectionOfficer@gov.scot]

For further information of how the Scottish Government processes personal data, please refer to our privacy notice: <https://www.gov.scot/privacy/>

The Law Society of Scotland

The contact details for the Law Society of Scotland are:

Liz Campbell
Executive Director of Education, Training and Qualifications
The Law Society of Scotland
Atria One
144 Morrison Street
Edinburgh
EH3 8EX
Email: traineeshipfund@lawscot.org.uk

Why the personal information is used and legal basis

The Scottish Government and the Law Society of Scotland will process the personal data of you and the identified persons in this application for the purposes of assessing eligibility for, administering any resulting award, and reviewing the use of, the grant or government funding more generally and for diversity monitoring.

The legal basis on which such processing is carried out is that the processing is necessary for performance of a task carried out in the public interest and in the exercise of official authority vested in the Scottish Ministers to grant funding to increase capacity and capability of legal aid practitioners in Scotland and to increase diversity by offering a partly funded (demand led) legal aid traineeships project. This is in accordance with Article 6(1)(e) of the UK General Data Protection Regulation and section 126 of the Housing Grants, Construction and Regeneration Act 1996.

The processing of any special categories of personal data is carried out on the basis that the processing is necessary for the purposes of identifying or keeping under review the existence or absence of equality of opportunity or treatment between groups of people with a view to enabling such equality to be promoted or maintained, in accordance with Article 9(2)(g) of the UK General Data Protection Regulation and Schedule 1, paragraph 8 of the Data Protection Act 2018.

Every effort will be made to anonymise special categories of personal data as far as is possible and such data will only be shared and/or used strictly for the purposes set out above.

Uses of personal information

The Scottish Ministers and the Law Society of Scotland will receive information about you from the firm to which you are applying and from you (in relation to Form C of the application). The Scottish Ministers and the Law Society of Scotland may share your information with certain third parties, such as the Scottish Legal Aid Board. The Scottish Ministers and the Law Society of Scotland will also form a Programme Management Board tasked with overseeing and monitoring the legal aid traineeships fund on which key individuals and/or organisations may be invited to participate. This may include the organisations listed in this section but it may also include other relevant and interested organisations and/or individuals with which/whom the Scottish Ministers and/or the LSS may share anonymised aggregated diversity information about you.

The Law Society of Scotland (on behalf of the Scottish Ministers) will retain information from applicants for six years from the end of the life of the grant. The Scottish Ministers and the Law Society of Scotland will retain diversity monitoring information in an anonymised form indefinitely.

Your information may be shared with government departments, professional advisors, auditors, organisations providing other funding and other organisations and individuals with a legitimate interest in the operation of the legal aid traineeships fund, or for the prevention or detection of fraud.

The Scottish Ministers and/or the Law Society of Scotland may publicise its/their involvement in the legal aid traineeships fund, the sums paid and other relevant details either as part of an evaluation, audit or otherwise.

Rights under data protection laws

You or any other identified individual (in each case a “data subject”) have the right to make a formal request in writing to see any personal data held about the data subject, to inspect it and to have it corrected if it is wrong. The data subject may also have rights to have their data erased or have their data moved. The data subject may be able to object to processing if they believe it to be unlawful.

To request information about their personal data the data subject should write to the Law Society of Scotland’s Data Protection Officer who will coordinate with the Scottish Ministers where required.

Rights to complain

If you feel the Scottish Ministers and/or the Law Society of Scotland have been unable, or unwilling, to resolve your concerns, you have the right to lodge a complaint with the Information Commissioner’s Office (ICO). The ICO are the supervisory authority responsible for data protection in the UK.

For further information, including independent data protection advice and information in relation to your rights, you can contact the Information Commissioner at:

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

Tel: 08456 30 60 60

Website: www.ico.org.uk

You can also report any concerns here: <https://ico.org.uk/concerns/handling/>