

Privacy Notice

This Privacy Notice explains how the Scottish Hospitals Inquiry will handle any Personal Data (including Sensitive Personal Data) about you as a Data Subject.

The Inquiry also has a separate Data Protection Policy which provides further information about its data protection and security measures and will be available on its website.

Who are we?

The Scottish Hospitals Inquiry (the Inquiry) is a statutory public inquiry set up by Scottish Ministers under the Inquiries Act 2005 to examine issues regarding the Queen Elizabeth University Hospital Campus (QEUH), Glasgow and the Royal Hospital for Children and Young People and Department of Clinical Neurosciences (RHCYP/DCN), Edinburgh. The Inquiry's remit and Terms of Reference, which set out its functions, can be found here: [Remit & Terms of Reference | Hospitals Inquiry](#).

The Inquiry is registered as a Data Controller with the Information Commissioner's Office (registration number ZA775906) and is responsible for compliance with the UK General Data Protection Regulation and the Data Protection Act 2018.

The Inquiry is committed to handling any Personal Data which identifies you in compliance with all applicable data protection legislation. The Inquiry has appointed a Data Protection Officer (DPO), Ann Kerr, who can be contacted at ann.kerr@hospitalsinquiry.scot regarding the Inquiry's data management practices and any issues raised in this Notice.

What Personal Data will the Inquiry collect about you?

The Inquiry will require to request, receive, and process Personal Data about various Data Subjects to ensure it has all necessary information to fulfil its Terms of Reference and investigate the issues within. This information may include names, dates of birth, postal addresses, email addresses, statements given by witnesses or potential witnesses and copy communications. The Inquiry will also process Sensitive Personal Data such as medical records or trade union membership information.

When you contact the Inquiry, or if the Inquiry contacts you, we will process and store your name, contact details, your connection to the subject matter of the Inquiry, all correspondence you send us in whichever form and any other information you supply whether orally or in writing. We process personal data for the purposes of carrying out our statutory functions, including investigating matters within our Terms of Reference, conducting hearings and producing reports.

If you are a core participant, or applying to be a core participant, the Inquiry will process and store your core participant application, any application for legal costs and expenses, details of your legal representative and all communication with your legal representative.

The Inquiry may also store and process audio recordings and video footage about you in the course of, for example, telephone calls and hearings.

How does the Inquiry obtain Personal Data?

The Inquiry will request and receive Personal Data through various routes from both individuals and organisations who are able to assist its investigations. These sources may include NHS bodies, government departments, legal representatives, witnesses, experts and other third parties who provide information relevant to the Inquiry.

These include:

a) Production of information to the Inquiry

Individuals or organisations who are able to assist the Inquiry's investigations may provide information to the Inquiry voluntarily. In addition, the Inquiry may make written requests for information under Rule 8 of the Inquiries (Scotland) Rules 2007. Section 21 of the Inquiries Act 2005 also gives the Chair powers to require individuals or organisations to give evidence or produce documents that relate to the Inquiry's functions. Any information supplied, including that from organisations, may include Personal Data, including Personal Data about third parties.

b) When you contact us

When you email or write to the Inquiry, including by social media or by any electronic form on our website, a record of your correspondence and contact details and any other information you share, will be stored and processed by the Inquiry.

If you contact the Inquiry by telephone, the Inquiry may store and process your name, contact details and details of the conversation, including an audio recording.

c) At Hearings

The Inquiry will conduct a number of public hearings in the course of its investigations. The Inquiry will hear evidence at those hearings, which may refer to Personal Data in the oral or documentary evidence of witnesses and core participants.

d) If you work or apply to work at the Inquiry

The Inquiry will store and process Personal Data to enable it to manage relationships with its team members lawfully and effectively. This will include processing Personal Data to enable the Inquiry to:

- Manage contracts relating to Inquiry staff;
- Set out the organisational structure of Inquiry staff;
- Inform the development of recruitment and retention policies and
- Allow better financial modelling and planning.

e) When you visit the Inquiry's website

Information is collected to measure the use of the website when you visit it.

Further information can be found in the Inquiry's [Protocol on the Receipt and Handling of Information](#) which is available on the Inquiry's website.

Cookies

The Inquiry website uses cookies, small text files that are placed on your machine, to help the site provide a better user experience. The Inquiry website has cookies for two purposes:

- To allow users to change the screen contrast and font-size for accessibility purposes and
- To provide anonymised tracking data to Google Analytics and Google Maps to allow the Inquiry to adapt and improve the website.

The Inquiry uses cookies in accordance with the Privacy and Electronic Communications Regulations (PECR). Non-essential cookies, such as analytics cookies, are only used with your consent. Google Analytics collects information about how visitors use the website. Where used, IP addresses are processed in a manner designed to minimise identification and protect user privacy.

To find out more about cookies, including how to see what cookies have been set and how to manage and delete them, visit: [Cookies | ICO](#).

What is the Inquiry's legal basis for processing your Personal Data?

The Inquiry must have a reason, in law, to process any Personal Data about you.

The Inquiry requires to process Personal Data because it has legal obligations it must fulfil under the Inquiries Act 2005 and the Inquiries (Scotland) Rules 2007. The Inquiry, as a statutory public inquiry with functions and powers, also requires to address its Terms of Reference in its performance of a task in the public interest. Where the Inquiry has a contract with you, such as an employment contract or a contract with an expert witness, it may also lawfully process your Personal Data to fulfil that contract.

The Inquiry relies on the following legal bases under Article 6 UK GDPR:

- Article 6(1)(c) – processing is necessary for compliance with a legal obligation;
- Article 6(1)(e) – processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority;
- Article 6(1)(b) – processing is necessary for the performance of a contract (e.g. employment or engagement of experts);
- Article 6(1)(a) – consent, where appropriate.

As a public authority, the Inquiry does not rely on legitimate interests where processing is carried out in the performance of its public functions.

The Inquiry may process your Sensitive Personal Data as necessary for reasons of substantial public interest under Article 9(2)(g) UK GDPR, supported by Schedule 1,

Part 2, paragraph 6 of the Data Protection Act 2018. The processing is necessary to ensure the Inquiry has the information required to fulfil its statutory functions and Terms of Reference.

Who will the Inquiry share your Personal Data with?

The Inquiry has a statutory duty, in terms of section 18 of the Inquiries Act 2005, to allow members of the public to view or obtain a record of evidence and documents given, produced, or provided to the Inquiry. Hearings will be accessible by any member of the public and will be video and audio recorded for public viewing on the internet. The Inquiry will also make public, via its website, in the course of hearings, and possibly by other means, the evidence, witness statements and hearing transcripts that are being referred to in the course of its investigations. Should any Data Subject wish to be anonymised or for their Personal Data to be redacted or restricted prior to publication, they should refer to the Inquiry's Protocols on [Redaction and Restriction](#) are available on the Inquiry's website.

The Inquiry will only share Personal Data with third parties when it has a legal basis to do so. Any person or organisation with whom Personal Data is shared will be expected to comply with any applicable data protection legislation. Such third parties may include but will not be limited to: core participants (including their legal representatives); witnesses; experts who are assisting the Inquiry team; counsel; external consultants or service providers (such as IT or document management); press agencies; the Scottish Government; the Keeper of the Records of Scotland and the wider public.

Where it is necessary for any Personal Data to be transferred outside of the UK (for example, due to the location of a service-provider's systems), we will ensure that appropriate safeguards are in place in accordance with UK data protection law, such as transfers to countries subject to UK adequacy regulations or the use of International Data Transfer Agreements (IDTAs).

How long will the Inquiry keep your Personal Data?

The Inquiry requires to retain all Personal Data until the Inquiry concludes and its final report is published. As required by the Inquiries (Scotland) Rules 2007, the record of the work of the Inquiry, of which Personal Data may form part, will be transferred to the Keeper of the Records of Scotland for permanent preservation upon the Inquiry's conclusion. Retention periods are determined based on statutory requirements, operational necessity and the need to preserve records in the public interest.

Your rights and how to use them

You may have certain rights in relation to any Personal Data that the Inquiry processes about you. You may seek to exercise the following rights by contacting the Inquiry's DPO. You have the following rights under data protection law:

- The right to access your personal data and request a copy of it;
- The right to have inaccurate or incomplete personal data corrected;
- The right to request restriction of processing in certain circumstances;

- The right to object to processing where applicable;
- The right to withdraw consent where processing is based on consent.

These rights are not absolute and may be limited where processing is necessary for the Inquiry's statutory functions, compliance with legal obligations, or archiving in the public interest. We will respond to valid requests within one month, although this may be extended where permitted by law.

A request regarding any of the above should be submitted to the Inquiry's DPO. In order to assist the Inquiry with processing such requests, you should provide your name, address, information necessary to verify your identity proportionate to your request and any other contact details.

In all cases your request will be considered very carefully and will only be declined where the Inquiry has a basis in law to do so.

Automated Decision Making

The Inquiry does not carry out automated decision making or profiling using your Personal Data.

Complaints about the use of your Personal Data

If you have concerns about how the Scottish Hospitals Inquiry has handled your Personal Data, you can raise a complaint with us.

You can do this by contacting the Inquiry's DPO at:

Email: ann.kerr@hospitalsinquiry.scot.

When you submit a complaint, please provide as much detail as possible about your concern and any relevant correspondence, so we can investigate effectively.

We will:

- acknowledge receipt of your complaint within **30 calendar days**;
- investigate your concerns and keep you informed of progress without undue delay and
- provide you with a response explaining the outcome of our investigation without undue delay.

You are encouraged to raise any concerns with us in the first instance so that we can investigate and respond. However, you may also lodge a complaint with the Information Commissioner's Office (ICO) at any time. Data protection complaints can be made in any format, including by email, post or telephone.

If you remain dissatisfied with our response, you may escalate your complaint to the ICO, the UK's independent authority for data protection.

Further information about your rights and how to complain to the ICO can be found at: <https://ico.org.uk>.

Amendments to this Privacy Notice

This Inquiry keeps this privacy information notice under regular review. This version of the privacy information notice was last reviewed and updated on 06 June 2026.