Special Category Personal Data Policy

Document Control:

Document last saved: 31 August 2026

Version	Changes	Author	Date
1.0	First release	M Thomson	11/06/2018
1.1	Periodic Review	M Thomson	25/02/2023
1.2	Updated to reflect current ICO guidance, post-Brexit UK GDPR alignments, and statutory references	I Fox	19/08/2026
1.3	Review of updates	M Thomson	31/08/2026

Scope & Application

This policy applies to the processing of special category personal data and criminal conviction/offence data by:

- The Assessor for Highland & Western Isles;
- The Electoral Registration Officer (ERO) for Highland & Western Isles; and
- The corporate administrative functions of The Highland & Western Isles Valuation Joint Board (collectively referred to as 'the Board').

Statutory Context & Legal Requirement

Under the Data Protection Act 2018 (DPA 2018) and the UK General Data Protection Regulation (UK GDPR), Data Controllers processing special category personal data under specific conditions set out in Part 1 or Part 2 of Schedule 1 to the DPA 2018 must maintain an Appropriate Policy Document (APD).

Pursuant to Part 4 of Schedule 1 to the DPA 2018, this document:

1. Explains the Board's procedures for securing compliance with the principles set out in Article 5 of the UK GDPR in connection with the processing of special category personal data.
2. Sets out the Board's policies regarding the retention, erasure, and security of special category personal data, giving a clear indication of expected retention periods.

Legal Bases & Schedule 1 Conditions for Processing

Personal data is defined as 'any information relating to an identified or identifiable natural person (data subject); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.'

Special category personal data includes information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data for identification purposes, health data, or data concerning a natural person's sex life or sexual orientation.

The Board processes special category personal data under the following legal frameworks:

Statutory & Public Functions (Assessor & ERO)

- UK GDPR Lawful Basis: Article 6(1)(e) — Necessary for the performance of a task carried out in the public interest or in the exercise of official authority.
- Special Category Basis: Article 9(2)(g) — Reasons of substantial public interest.
- DPA 2018 Schedule 1 Condition: Part 2, Paragraph 6 (Statutory and government purposes)

Corporate, HR & Employment Functions (Valuation Joint Board)

- UK GDPR Lawful Basis: Article 6(1)(b) — Necessary for the performance of a contract, and Article 6(1)(c) — Necessary for compliance with a legal obligation.
- Special Category Basis: Article 9(2)(b) — Necessary for carrying out obligations and exercising specific rights in the field of employment, social security, and social protection law.
- DPA 2018 Schedule 1 Condition: Part 1, Paragraph 1 (Employment, social security, and social protection).

Compliance with Data Protection Principles (Article 5 UK GDPR)

Lawfulness, Fairness & Transparency

- Data subjects are informed of processing through comprehensive Privacy Notices at the point of data collection, accessible at: www.saa.gov.uk/h-wi-vjb/privacy-notices.
- Alignment with ICO statutory codes of practice forms part of the review of Data Processing Agreements (DPAs) and Information Sharing Agreements (ISAs)

Purpose Limitation

- Special category data is collected solely for explicit statutory, , or employment purposes and is not further processed in a manner incompatible with those purposes.

Data Minimisation

- The Board restricts data collection strictly to what is adequate, relevant, and necessary to fulfil its statutory and operational duties, ensuring compliance with Article 5 of the UK GDPR.

Accuracy

- The Board maintains active verification controls to ensure personal data is accurate and, where necessary, kept up to date. Inaccurate data is rectified without delay, and third-party recipients are notified of corrections where required.

Storage Limitation

- Personal data is retained only for the minimum period necessary to satisfy business, legal, or statutory requirements.
- Detailed retention periods are defined in the Board's Records Retention & Disposal Schedule, available at: www.saa.gov.uk/h-wi-vjb/governance.
- Records management complies with the Board's Records Management Plan (RMP), approved under the Public Records (Scotland) Act 2011 by the Keeper of the Records of Scotland.

Integrity & Confidentiality (Security)

- Processing adheres to the Highland Council Information & Data Security Strategy and ICT User and Network Access Control Policies.
- Security measures include role-based access control, encryption in transit and at rest, regular vulnerability assessments, penetration testing, and physical security measures for hard-copy records.

Accountability

- The Board maintains internal Data Protection Impact Assessments (DPIAs) for high-risk processing, maintains accurate Records of Processing Activities (RoPA) under Article 30, and ensures staff undergo mandatory cyber security and data protection training.

Retention, Erasure, and Policy Review

This policy document is retained while special category data is being processed and for at least six months after processing has ceased. It is reviewed annually and made available to the Information Commissioner's Office (ICO) upon request.

2 November 2026