



For safe food and
healthy eating

Data protection impact assessment (DPIA)

Food Standards Scotland website rebuild project

Published: 12 March 2024



Document metadata

Name of policy/project/initiative: Food Standards Scotland (FSS) website build

Date of report: 15/02/24

Version number: Draft 1.01

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Date for review of DPIA:

Review date	Details of update	Completion date	Approval date

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1. Introduction

The purpose of this document is to report on and assess against any potential data protection impact because of planned user engagement to inform the rebuild of the Food Standards Scotland website and associated services.

2. Description of the project and personal data

2.1 Description of the work

The website project aims to create and deliver a new Food Standards Scotland website, born of direct insight from users and internal stakeholders.

FSS is working with a digital agency, The Union, to deliver the website.

Project key deliverables and benefits include:

- confirmation of user priorities/problems to inform redesign of website content, architecture, design, and layout
- demonstrable task success for users
- demonstrable business impact for FSS
- digital Scotland Service Standard (DSSS) and accessibility compliance
- an appropriate and bespoke Drupal CMS (Content Management System) implementation (moving from Expression Engine)
- an agreed service model to support an ongoing web backlog to ensure content and service evolution
- the embedding of an iterative/agile/research-based testing culture for content creation
- a new content strategy based on user/organisational needs, to include:
 - SMART objectives and business goals
 - content production and governance policies
 - set process for content maintenance and review
 - process for content proposals/submissions
 - reporting framework
 - informed and scheduled content production (editorial calendar, cross-channel) to meet goals/needs of colleagues

However, user engagement only takes place across research and testing in the problem and solution space. Examples may include:

- testing website usability and recording the user journey to specific scenarios on the existing and draft website, via virtual, remote sessions e.g. 'You want to know about allergies on the FSS website. How would you find this out?'
- testing draft information architecture with relevant users via virtual, remote sessions

The information required of our users is their name, location, ethnicity, whether they have a disability, whether they use assisted technology and their email address.

Ownership and governance

The project is being delivered within the Marketing and Communications division.

The website project is following the Digital Scotland Service Standard (DSSS) with the aim of full compliance.

Reporting

The agency Senior Digital Account Manager reports fortnightly to the FSS Head of Digital and Content on all aspects of project delivery. In addition, the FSS Head of Digital and Content checks in frequently with the Digital Assurance Office (DAO) with respect to DSSS compliance.

Project planning and risk management

'The Union' are charged with delivering the project plan, with input directly from FSS. This approach is in line with the goal of harnessing true user centred design in the delivery of the website. As such, risks (alongside evidence for the DSSS) are stored in a shared project space with both The Union and FSS contributing/mitigating.

2.2 Personal data to be processed

Variable	Data Source	Number of data subjects (people)	Categories of data subjects	Data subjects' relationship to the controller
Contact details including name, email address etc.	We use a free find recruitment approach via our third-party supplier Taylor McKenzie.	27	A spread of the general public, along with businesses and stakeholders.	Public and businesses who may or may not have an awareness of FSS, and / or stakeholders that already have a relationship with FSS.
Video recordings and personal opinions;	As above	As above	As above	As above
Ethnicity	As above	As above	As above	As above
Disability	As above	As above	As above	As above
Assisted technology use	As above	As above	As above	As above

2.3 How this data will be processed

Food Standards Scotland will be the Data Controller - i.e., having final say in how the data gets used.

The Union is the data processor – and have been instructed by FSS to gather this data and FSS have provided parameters on what to do with it e.g., to help inform content or design decisions. They will not be sharing the personal data with anyone else except FSS.

2.4 How will it be gathered?

The general public and businesses will be free found recruited via our recruitment partner Taylor McKenzie. They use a mix of database recruitment from their own database, on street recruitment, FSS databases and searching online. These users will have to opt in to doing a short screener before agreeing to participate in the research.

For stakeholders, the names and email addresses of relevant volunteers/data subjects for our testing can be gleaned directly via existing industry contacts and FSS database.

2.5 Who will have access?

FSS, The Union and Taylor McKenzie.

2.6 How will it be stored, and disposed of when no longer needed?

The data – consent, all personal details, recorded video sessions and test spreadsheets/visuals - will be stored on FSS, The Union's and Taylor McKenzie's secure servers. Only those that are involved with the research on the project will have access to the data and all personal data will be password protected.

All data will be stored until 6 months after the completion of the research on secure servers, and then deleted.

2.7 Who will own and manage the data?

FSS is the data controller as we are determining the purpose for collecting the data.

2.8 The purpose/purposes of the processing

The users will help us support the new website build e.g., by testing the existing site, or new site architecture etc., personal data will only be used for the purpose of improving content, design, and layout of the new website - to content and services that work for our users.

We will use the name and email addresses of data subjects only to organise testing sessions.

We will use the roles of data subjects to optimise web experience for that group e.g., improving the search function on the website for local authority employees.

We will use ethnicity and accessibility challenges to ensure the voices of minority groups are heard and understood and any solution and / or content is designed to be user centric and representative of all users.

3. Data controllers and data processors/sub processors

3.1 Data controllers

Organisation: Food Standards Scotland.

Activities: Scottish Government Agency.

Is the organisation a public authority or body as set out in Part 2, Chapter 2, Section 7 of the Data Protection Act 2018? Yes.

Lawful basis for processing under UK General Data Protection Regulation (UK GDPR) Article 6 for the collection and sharing of personal data – general processing.

Please note relevant legislation if using lawful basis *public task.”

Performance of a public task.

The rebuild of the website will better enable FSS to deliver on behalf of Scottish Ministers the powers and functions conferred when Food Standards Scotland was established on 1 April 2015 as the new public sector food body for Scotland, and to deliver our objectives as set under the Food (Scotland) Act 2015.

3.2 Data processors and sub processors

Organisation	Activity	Contract in place compliant with UK GDPR Art 28? Yes/No
The Union	Building the new FSS website	Yes
Taylor McKenzie Research and Marketing	Recruiting the general public and businesses to take part in user research	Yes

Stakeholders analysis and consultation

3.3 Stakeholders

Group	Interest
Users (as detailed in section 3.3 above)	Users are not being consulted for the purposes of this DPIA (Data Protection &

	Impact Assessment) but will be involved throughout the project during the testing.
The Union team	The Union will be developing the web site and will be collecting the users for the purposes of testing the site.
Internal FSS stakeholders	Internal FSS stakeholders are not being consulted for the purposes of this DPIA but will be involved throughout the project during the testing.

3.4 Method used to consult with these groups when making the DPIA.

The Union and FSS have reviewed and amended this DPIA as appropriate.

3.5 Data protection issues identified by these groups during consultation.

Whilst the processing of the personal data is under the lawful basis of ‘public sector,’ the collection of the user data is based on Consent, which will be obtained for each user at the point they agree to be involved in the project. This participant consent will be stored for the duration of the project and no longer than 6 months after the project concludes.

3.6 Method used to communicate the outcomes of the DPIA

The DPIA and Privacy Policy will be added to the [privacy section of the FSS website](#).

4. Questions to identify data protection issues

4.1 Necessity

We need to evidence that we’ve engaged with specific audience groups/stakeholders, to help define site content and services that work for them. We cannot successfully build a website that meets the audience needs with no engagement or consultation with the users and external stakeholders who use the website.

4.2 Proportionality

We require their name and email address for correspondence. We require their location and ethnicity to ensure we are gathering input from people across Scotland from varying backgrounds, but particularly to ensure we cover seldom heard voices from minority groups.

We require details of any disability to ensure that the study does not exclude subjects with disability. We require details of whether they use any assisted technology or not to ensure we include some subjects who have accessibility or language challenges when using the website to ensure a user centric and inclusive approach is taken for the solution.

The information on disability and ethnicity will not be analysed, processed, or stored, it is only being collected for the purposes of ensuring that these audience groups are not being excluded from the research and that these important voices are heard.

4.3 Justification

We want to define a website that works for all our users. This is lawful basis for collecting people's personal data. FSS needs to create a user centric website for people in Scotland no matter who they are, from the public to businesses and external stakeholders. Thus, the required sample and data required needs to capture as representative and diverse an audience as possible with differing backgrounds and needs regarding food and digital capabilities. As such, we are asking for participants information on ethnicity and disability purely to ensure that these audiences are not excluded (either directly or inadvertently) from the study, as their input is a vital component of the overall project.

Our task includes:

- **Food safety:** FSS is tasked with ensuring that food sold and consumed in Scotland is safe for consumption. This involves monitoring and enforcing regulations related to food hygiene, handling, and processing to prevent contamination and the spread of foodborne illnesses.
- **Food standards:** FSS sets and maintains standards for the composition, labelling, and advertising of food products to ensure that consumers are provided with accurate and clear information about the food they purchase and consume.
- **Nutrition:** FSS works to promote and support healthy eating habits and balanced nutrition among the Scottish population. This includes providing guidance on dietary recommendations, nutritional labelling, and initiatives to address public health concerns related to diet and nutrition.
- **Food authenticity:** FSS is responsible for protecting consumers from food fraud and ensuring the authenticity of food products. This involves monitoring the supply chain and investigating cases of food fraud or misrepresentation to maintain consumer trust and confidence in the food industry.
- **Risk assessment and communication:** FSS conducts risk assessments related to food safety and communicates relevant information to the public, stakeholders, and policymakers to enable informed decision-making and ensure transparency in food-related matters.

4.4 Other risks

None.

5. UK General Data Protection Regulation (UK GDPR) principles

Principle	Compliant – yes or no	Description of how you have complied
7.1 Principle 1 – fair and lawful (see 4.1), and transparent	Yes	Users are invited to get involved in the programme and have the option of choosing not to at any point. Their likely commitment and details of how their data will be processed has been communicated to them using the media release consent form. There is minimal data being collected or processed.
7.2 Principle 2 – purpose limitation	Yes	The User data is only being processed for the purpose of testing the site whereupon it will be deleted. The contact details will be stored for the purpose of contacting them during the project. The information on ethnicity and disability that is being collated will not be processed or analysed, it is only being collected to ensure minority groups are not excluded from the study.
7.3 Principle 3 – adequacy, relevance, and data minimisation	Yes	Minimal data will be collected throughout this project – only relevant detail to understand the user group. Information on ethnicity and disability, as protected characteristics, is required to ensure these minority groups are not excluded from the project, either directly or inadvertently. This sensitive data will be disassociated from the personal information as soon as practicable and only stored at an aggregate level.
7.4 Principle 4 – accurate, kept up to date, deletion	Yes	Users can update their data as required at any time by contacting us.
7.5 Principle 5 – kept for no longer than necessary, anonymization	Yes	Data will be retained until 6 months after completion of the research date, whereupon it is deleted.
7.6 UK GDPR Articles 12-22 – data subject rights	Yes	Any requests from Users will be managed appropriately by Union, given the limited nature of this project, we do not anticipate any requests.
7.7 Principle 6 - security	Yes	All data will be held securely by The Union, Taylor Mckenzie Research and FSS before being deleted as above.
7.8 UK GDPR Article 44 - Personal data shall not	Yes	No personal data will be transferred outside of the UK.

be transferred to a country or territory outside the European Economic Area.		
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6. Data Protection Officer (DPO) advice

Advice from DPO	Action	Reason advice not actioned

7. Authorisation and publication

The DPIA report should be signed by your information asset owner (IAO). The IAO will be the Deputy Director or Head of Division.

- Before signing the DPIA report, an IAO should ensure that she/he is satisfied that the impact assessment is robust, has addressed all the relevant issues and that appropriate actions have been taken.
- By signing the DPIA report, the IAO is confirming that the impact of applying the policy/undertaking the project or initiative etc has been sufficiently assessed against the risk to individuals' rights and freedoms.
- The results of the impact assessment must be published in the eRDM with the phrase "DPIA report" and the name of the project or initiative in the title.
- Details of any relevant information asset must be added to the Information Asset Register, with a note that a DPIA has been conducted.

I confirm that the impact of undertaking this research project has been sufficiently assessed against the rights of the data subjects (people):

Name and job title of an IAO or equivalent	Date each version authorised
Kate Smith, Head of Marketing and Communications	11/03/2024
<i>Kate Bullock</i>	

Appendix 1 privacy information

Project privacy statement

Food Standards Scotland (FSS) is what is known as the 'Controller' of the personal data provided to us through the 'Food Standards Scotland website research' survey.

1. What information do we hold?

The personal information we hold on you may include your name and any other relevant information such as your job title and email address.

2. Where we get this information from?

Food Standards Scotland obtains this information directly from you as part of the signup process for the 'Food Standards Scotland website research' survey hosted on Typeform.

3. Why we need it?

We collect this information to allow us and our research partner to contact you to arrange the interview. We also collect information about what type of work you do so that we can sort participants into categories. This is to allow us to make sure we are interviewing a wide range of stakeholders. We will not collect any personal data on you which we do not need.

Our research partners, The Union, and their sub processors Taylor McKenzie, will process your personal data on our behalf. These organisations are our data processors and can only process your personal data on our instruction or with our agreement for a specified purpose to enable us to maintain, improve and provide our services to fulfil our public task. A data protection impact assessment (DPIA) and data processing agreement (DPA) have been completed to ensure that any personal data collected by us or by our data processors on our behalf, is securely protected.

The legal basis for our use of your personal information as highlighted above will be one or more of the following:

- We need to process your personal information to satisfy our legal obligations as the Competent Food Authority in Scotland; and
- We need to process your personal information to carry out a task in the public interest or in the exercise of official authority in our capacity as a public body.

4. What we do with it

We retain personal information only for as long as necessary to carry out these functions, and in line with our retention policy. Your contact details will be held securely until you inform us that you no longer wish to receive the information or ask for your information to be deleted.

FSS has put in place appropriate and adequate technical and organisational measures to protect your personal information. All the personal data we process is located on servers in the United Kingdom. Our cloud-based services have been procured through the government framework agreements and these services have been assessed against the national cyber security centre cloud security principles. No third parties have access to your personal data unless the law allows them to do so.

5. What we may also be required to do with it

The information may be shared with other government departments, public bodies, and organisations which perform public functions to assist them in the performance of their statutory duties or when it is in the public interest.

6. What are your rights?

You have a right to see the information we hold on you by making a request in writing to the email address below. If at any point you believe the information, we process on you is incorrect you can request to have it corrected. If you wish to raise a complaint on how we have handled your personal data, you can contact our Data Protection Officer who will investigate the matter.

If you are not satisfied with our response or believe we are processing your personal data not in accordance with the law, you can [complain to the Information Commissioner's Office \(ICO\)](#) or call their telephone helpline (03031231113).

Our Data Protection Officer at Food Standards Scotland is the Director of Corporate Services who can be contacted at the following email address: dataprotection@fss.scot.