

# Scottish Child Abuse Inquiry

PO Box 24202; Edinburgh EH3 1JN  
Telephone: 0800 092 9300  
e-mail: [talktous@childabuseinquiry.scot](mailto:talktous@childabuseinquiry.scot)

## Application form to give evidence to the Inquiry

*The witness support team can also complete this form on your behalf.  
Please contact us, at the details above, and we will assist you.*

### Your personal details:

1. Current surname:
2. First name(s):
3. Name you usually use:
4. Surname as a child (for example, maiden name):
5. Date of birth:
6. Place of birth:
7. Email address:
8. Best phone number to contact you on:

9. Postal address:

10. How would you like us to contact you?

- Phone
- Email
- Post
- Relay UK Text Service

If we can contact you by phone:

(a) is there a time, or day, that you would prefer?

(b) can we leave a short message on your answerphone?

## **Abuse**

**We must tell the police the name of anyone who you tell us abused you or other children. The police must be able to check if these people are still a risk to children or to people who are vulnerable. We will not normally tell the police your name unless you want us to do so.**

**We must also tell the police about what you say if it suggests that you or someone else is at risk of being hurt or there is a risk to their life. This has to be done without delay.**



## **Support**

13. Do you have access to support or counselling in relation to the abuse you want to tell us about?

Yes

No

## **Police involvement (if any):**

14. As far as you know, are the police aware of the abuse you want to tell us about?

Yes

No

Don't know

## **Additional support needs**

15. Do you have any additional support needs?

Yes

No

16. If yes, please give details so we can work with you to identify any support you may need to help you share your experiences:

## **Any other information:**

17. Is there any other information you want to give us about your application?

Date you filled in this form:

Please send completed forms to:

- by post to: SCAI, PO Box 24202 Edinburgh EH3 1JN
- by email to: [talktous@childabuseinquiry.scot](mailto:talktous@childabuseinquiry.scot)

For more information or help with the form, please contact our Witness Support Team:

- by phone on 0800 092 9300
- by email to [talktous@childabuseinquiry.scot](mailto:talktous@childabuseinquiry.scot)

## Privacy Notice

This notice explains our approach to collecting and handling your personal data.

We are an independent public inquiry and we exercise statutory functions under the Inquiries Act 2005, in the public interest. We investigate the nature and extent of abuse of children whilst in care in Scotland. We publish various documents relating to our investigations and findings, and sometimes this may include some personal data. We need to process personal data to enable us to carry out our work.

We explain in this notice in general terms how we collect and handle personal data.

## Why we process your personal data

We process your personal data for a number of reasons, all of which help us to fulfil our [Terms of Reference](#).

## How we collect personal data

When a person visits our website we collect information to measure the use of the website. We do not collect information that identifies anyone but we do track how many individuals have viewed different pages so we know what information appears to be of most interest. Further information is provided on our [Terms & Conditions page](#).

If you contact us by telephone, email or letter, or if you use the contact form on our website, we will retain any personal data you provide to us in doing so, and we may use it to contact you about the work of the Inquiry. We may also use it to help us with our investigations and to help us decide which institutions or organisations need to be investigated.

We may approach you to ask you to give evidence to the Inquiry, in which case we will retain any additional personal data you provide to us and we may use it to contact you about the work of the Inquiry.

If you provide us with evidence, whether by giving a statement, or in response to a statutory notice under section 21 of the Inquiries Act 2005 requiring you to submit written evidence, or by attending the Inquiry to give evidence in person, or in any other way, we will retain any personal data you provide in doing so. Also we will retain any personal data which you provide in any communications we have with you in relation to your

evidence. We will use any such personal data to help us with our investigations and/or otherwise fulfil our Terms of Reference.

We also recover records from a range of sources, including providers of residential care for children, local authorities, Police Scotland, the Crown and Procurator Fiscal Service, and the Scottish Government.

### **What sort of data we collect**

We collect data about children in care, data about the abuse of children in care and data about the impact of such abuse. We collect and retain contact details, data known as special category data and information about criminal convictions.

The records we recover might include personal data including sensitive personal data such as data relating to a person's criminal convictions, offences, private life or sexual orientation.

### **How personal data is held**

We keep your personal data secure and only share it with those who need to see it.

Personal data is held in secure encrypted electronic storage systems that are only accessible by individuals working for or on behalf of the Inquiry. Any hard copy information is held in secure conditions within premises to which members of the public do not have access.

All personal data we receive is handled fairly and lawfully in line with data protection legislation.

### **Who will personal data be shared with**

We may have to disclose personal data, on a strictly confidential basis, to organisations which provide(d) or arranged residential care for children, to people who are alleged to have abused children in care, to organisations which hold records which could assist the Inquiry with its investigations, to experts or to the police.

In some cases, we may publicise your data to allow us to fulfil our Terms of Reference. However, we are extremely careful about what data is made public and only publish it where we are satisfied, having had regard to data protection and inquiries legislation and any restriction orders issued by the Chair, that it is appropriate to do so.

Some people are entitled to be anonymous and, unless they have expressly waived their anonymity, their identities will be protected by appropriate redaction before publication. Details of those who are entitled to anonymity are set out in the Chair's General Restriction Order, which you can see [here](#).

If you are concerned or unsure about whether your personal information may be made public, you can ask our witness support team about whether you are entitled to anonymity.

### **Data controller**

The Chief Executive of the Inquiry is our "data controller". As data controller, she is obliged by law to determine the purposes for and means by which we process all and any data including how it is held, how it is used, and when and/or how it is destroyed.

Each year the Inquiry registers with the Information Commissioner – who supervises compliance with Data Protection legislation in the UK. A copy of our current registration certificate is available [here](#).

### **Data retention**

If you contact us by telephone, email or letter during the Inquiry, or if we contact you, we will retain any personal data which, in doing so, you provide to us. We will do so solely to enable us to carry out our work. We will generally retain the data for the duration of the Inquiry.

Under our Terms of Reference we are required to create a national public record, and the Inquiries Act 2005 and the Inquiries (Scotland) Rules 2007 require the Chair to keep a comprehensive record of the Inquiry. That means we must, at the end of the Inquiry, transmit certain records we hold, including personal and sensitive personal data, to the Keeper of the Records of Scotland.

### **The legal basis for processing personal data**

We process personal data lawfully in compliance with the General Data Protection Regulation ('GDPR') and all other UK data protection legislation.

Our 'lawful basis', as defined by the GDPR, is usually the need to comply with a legal obligation; the obligation relied on will usually be that we are carrying out a task we require, in the public interest, to perform and/or that we are pursuing our legitimate interest in fulfilling our Terms of Reference.



Complying with our legal obligation means we process your personal data because it is necessary for us to comply with the law that applies to us. In our case our legal obligations as a public inquiry are set out in the Inquiries Act 2005 and the Inquiries (Scotland) Rules 2007. The Inquiries Act empowers a government minister to set up a public inquiry; it sets out what we, as a public inquiry, must do and what we have the power to do. The Inquiries Rules set out certain procedures we must follow.

Under data protection laws, the processing we carry out must be necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Chair of the Inquiry. In our case, all we do is for the benefit of the public, the Inquiry having been established because the Scottish Ministers were satisfied it was appropriate to do so, given the extent to which there was public concern about the abuse of children in care dating back over many years, the need to understand what happened in the past and the need to seek recommendations for the protection of children in care in the future.

We also use personal data in pursuit of our legitimate interests, meaning that we carry out necessary processing for the purpose of our interests in fully carrying out our investigations, in creating a clear public record of the nature and extent of abuse of children in care, in making findings, in issuing reports and in deciding on and drafting appropriate recommendations.

We rely on these bases for processing only when we believe our interests are not overridden by your fundamental rights and freedoms.

## **Your rights in respect of your personal data**

Sometimes the processing we carry out allows us to rely on one or more of the exemptions set down in the Data Protection Act 2018. If it does we then have to decide whether or not it is appropriate to provide information in response to any request you make to assert your rights under the GDPR. Sometimes we will do so even if there is an exemption that we can rely upon. Sometimes we will conclude that it is not appropriate for us to provide you with the information you have requested - this will, for example, be the case if complying with your request would make it more difficult for us to fulfil our Terms of Reference or if it puts another person's personal data at risk of being revealed.

You have the right to request:

- access to the personal data we hold about you
- that incorrect information we hold about you be corrected

- that we stop or limit the processing of data we hold about you
- that we erase the information we hold about you

In all cases we will consider your request very carefully. In some cases, if we consider that your information falls within one of the exemptions set down in the Data Protection Act 2018 and that agreeing to your request could hinder our ability to fulfil our Terms of Reference, we may have to decline your request.

## **Contact and complaints**

If you wish to contact us about the terms of this privacy notice, please write to [SCAIdataprotection@childabuseinquiry.scot](mailto:SCAIdataprotection@childabuseinquiry.scot)

If you wish to make a complaint about how the Inquiry has handled your personal data, in the first instance please contact [SCAIdataprotection@childabuseinquiry.scot](mailto:SCAIdataprotection@childabuseinquiry.scot)

If you are unhappy with the outcome of discussions with us you are entitled to contact the Information Commissioner's Office online at: Your personal information concerns | ICO, by calling their helpline on **0303 123 1113** or by writing to them:

UK Information Commissioner's Office  
Wycliffe House,  
Water Lane,  
Wilmslow,  
Cheshire