

What we do with your information

National Procurement (NP) is a strategic business directorate within The Common Services Agency, more commonly referred to as NHS National Services Scotland or NSS (NHS NSS). NP will strive to be the leading provider of procurement services, through the provision of expertise and collaboration working, enabling, and supporting 'Scotland's Health'.

For more information and a more detailed explanation of the use of data in NSS, please refer to the NSS [Data Protection page](#).

NP is committed to protecting and respecting the privacy of individuals whose personal information and to complying with its obligations under the Data Protection Act 2018 (DPA 2018) and the UK GDPR and other data protection legislation as may, from time to time, be applicable.

This privacy statement explains:

- the types of personal information that NP collects and processes in relation to its function (being the provision of procurement advice)
- how NP obtains and uses such personal information
- when NP may disclose such personal information to third parties. It also provides further information on your rights

Our legal basis for using personal information

The NSS [Data Protection page](#) provides details of the legal basis on which NSS processes data.

The NP division processes data in two specific ways:

- to procure goods and/or services on behalf of NSS in which case the legal basis will be the powers invested in the NSS in the following areas:
 - the provision providing health or social care or treatment or managing health or social care systems and services
 - for reasons of public interest in the area of public health
- to procure goods and/or services on behalf of the Scottish government and/or Scottish health boards under the statutory powers granted to NSS to:
 - procure equipment, supplies and services in support of the functions of the Scottish Ministers, Health Boards and Special Health Boards

Additional lawful basis for processing other categories of data

Some of the information that may be collected is classified as special category personal data such as criminal convictions and offences (including alleged offences). In order to process special category data, we need to have an additional lawful basis beyond the general powers explained above. We process this information under section 9(2) of the Data Protection Act 2018 for the provision of

- section (h) Health or social care
- Schedule 1 condition 2
- Paragraph (2)(d) of the The National Health Service (Functions of the Common Services Agency) (Scotland) Order 2008 granting the powers to procure equipment, supplies and services in support of the

functions of the Scottish Ministers, Health Boards and Special Health Boards;

Types of Data

To facilitate award of these services these services we may need to process some personal data, which is required or contained in other supplier information. including:

- Contact details of bidders, their staff or sub-contractors such as their name, address, telephone number and email addresses;
- Copy of the company registration;
- Bank account details;
- Financial turnover/accounts;
- Evidence of Insurances held;
- Details of any Professional misconduct;
- TUPE data (as applicable);
- Criminal Activity/Criminal Record;
- Health and Safety Records;
- Evidence of the payment of social taxes;

Collection of data

Information will be gathered primarily from health boards that are participating in procurement projects or (potential) suppliers are will be sourced from the following:

- proposals, tender or quotation documents
- CV's of staff proposed for the provision of the goods/services/works;
- Responses to questions in procurement documents;
- Copies of certificates of different nature; and
- Other documentation required in the procurement documentation

Use of data

We use the information to evaluate the proposals received for the supply of goods and services either to NHS NSS itself or partner health boards in Scotland.

Information is processed as part of a public procurement exercise in order to:

- evaluate proposals received during the procurement exercise; and
- award the contract to the best candidate who meets defined criteria for the evaluation of the bids;
- manage the contract and/or renewals after award of the contract.

Our Disclosure

The general disclosure policies are described in the NSS [Data Protection page](#).

Depending on the situation, we may need to share personal information with others. If we do, we'll only share appropriate, relevant and proportionate personal information and we'll comply with the law.

Others could include:

- Commissioning health boards or the Scottish government
- Financial & Legal staff of NSS, we may share your information with:
- Consultants commissioned by NSS or commissioning health boards;
- Other tenderers who have been unsuccessful where required by applicable law;
- Bodies charged with a monitoring, audit or inspection task in application of relevant law (e.g internal audits, Crown Commercial Services);
- Members of the public, in accordance with the Council's obligation to publish information under Freedom of Information and other applicable transparency laws
- external auditors where required in connection with any audit of NP activities
- service providers to NP, for example: IT providers, but such disclosure will be limited to that required for providing the relevant service and will only be affected with service providers who have entered into a contract with NHS NSS in which robust data protection obligations and protections are contained.

How long we retain the information for

Please refer to the NSS [Data Protection page](#) for details on retention.

Your rights

Please refer to the NSS [Data Protection page](#) for details.

Contacting the data protection officer

Please refer to the NSS [Data Protection page](#) for details.

How do I complain

Please refer to the NSS [Data Protection page](#) for details.