



Data Sharing Agreement

**For the necessary sharing of personal data and
non-personal data between**

The Scottish Courts and Tribunals Service

And

The 14 Scottish Assessors

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1. Introduction

The Scottish Courts and Tribunal Service (SCTS) and the 14 Scottish Assessors¹ are public bodies. This agreement demonstrates the trust and co-operation that exists between SCTS and the 14 Scottish Assessors, resulting in a desire to share data currently stored on the 14 different Scottish Assessor's systems with SCTS. Having access to this data ahead of 1 April 2023 when the First-tier Tribunal for Scotland Local Taxation Chamber goes live, provides SCTS the visibility of the data currently stored within the 14 different Scottish Assessor's systems to help aid SCTS build import routines for when the final files are transferred across and loaded into SCTS's system (TCMS). When the new First-tier Tribunal for Scotland (LTC) goes-live on 1 April 2023, having access to this data will allow caseworkers the ability to administer appeals previously processed and disposed of by the Valuation Appeals Committees (VACs). The data will relate to appeals made against entries in the Valuation Roll and Council Tax List. For the avoidance of doubt, the data flow will be from the 14 different Assessors to SCTS.

2. Organisations involved in the data sharing

Organisation/business area	Scottish Courts and Tribunal Service (SCTS)
Information Asset Owner (IAO)	[REDACTED]
Operational contact name	[REDACTED]
Operational contact job title:	Director, Tribunals

Organisation/Business Area	Scottish Assessors Association
Information Asset Owner (IAO) (if applicable)	[REDACTED]
Operational Contact Name:	[REDACTED]
Operational Contact Job Title:	Assessor for Fife Council
ICO Registration Number:	Z6954898

Organisation/Business Area	Scottish Assessors Association
Information Asset Owner (IAO) (if applicable)	[REDACTED]
Operational Contact Name:	[REDACTED]
Operational Contact Job Title:	Assessor for Tayside Valuation Joint Board
ICO Registration Number:	Z6821924

Organisation/Business Area	Scottish Assessors Association
Information Asset Owner (IAO) (if applicable)	[REDACTED]
Operational Contact Name:	[REDACTED]
Operational Contact Job Title:	Assessor for Ayrshire Valuation Joint Board
ICO Registration Number:	Z6982129

¹ There are currently 14 Assessors who have been statutorily appointed by the 32 local authorities. Each Assessor covers one or more local authority areas, and those that cover multiple areas are appointed by a valuation joint board rather than a single local authority.

Organisation/Business Area	Scottish Assessors Association
Information Asset Owner (IAO) (if applicable)	
Operational Contact Name:	
Operational Contact Job Title:	Assessor for Central Scotland Valuation Joint Board
ICO Registration Number:	Z7353775

Organisation/Business Area	Scottish Assessors Association
Information Asset Owner (IAO) (if applicable)	
Operational Contact Name:	
Operational Contact Job Title:	Assessor for Dumfries & Galloway Council
ICO Registration Number:	ZA201890

Organisation/Business Area	Scottish Assessors Association
Information Asset Owner (IAO) (if applicable)	
Operational Contact Name:	
Operational Contact Job Title:	Assessor for Dunbartonshire and Argyll and Bute Valuation Joint Board
ICO Registration Number:	Z697104X

Organisation/Business Area	Scottish Assessors Association
Information Asset Owner (IAO) (if applicable)	
Operational Contact Name:	
Operational Contact Job Title:	Assessor for Glasgow City Council
ICO Registration Number:	Z4870986

Organisation/Business Area	Scottish Assessors Association
Information Asset Owner (IAO) (if applicable)	
Operational Contact Name:	
Operational Contact Job Title:	Assessor for Grampian Valuation Joint Board
ICO Registration Number:	Z6994677

Organisation/Business Area	Scottish Assessors Association
Information Asset Owner (IAO) (if applicable)	
Operational Contact Name:	
Operational Contact Job Title:	Assessor for Highlands & Western Isles Valuation Joint Board
ICO Registration Number:	Z7182146

Organisation/Business Area	Scottish Assessors Association
Information Asset Owner (IAO) (if applicable)	
Operational Contact Name:	
Operational Contact Job Title:	Assessor for Lanarkshire Valuation Joint Board
ICO Registration Number:	Z4749745

Organisation/Business Area	Scottish Assessors Association
Information Asset Owner (IAO) (if applicable)	
Operational Contact Name:	
Operational Contact Job Title:	Assessor for Lothian Valuation Joint Board
ICO Registration Number:	Z5952686

Organisation/Business Area	Scottish Assessors Association
Information Asset Owner (IAO) (if applicable)	
Operational Contact Name:	
Operational Contact Job Title:	Assessor for Orkney & Shetland Valuation Joint Board
ICO Registration Number:	Z6161579

Organisation/Business Area	Scottish Assessors Association
Information Asset Owner (IAO) (if applicable)	
Operational Contact Name:	
Operational Contact Job Title:	Assessor for Renfrewshire Valuation Joint Board
ICO Registration Number:	Z6615939

Organisation/Business Area	Scottish Assessors Association
Information Asset Owner (IAO) (if applicable)	
Operational Contact Name:	
Operational Contact Job Title:	Assessor for Scottish Borders Council
ICO Registration Number:	Z4820387

3. Purpose(s) of the data sharing

3.1 Purpose(s)

The purpose of the data sharing agreement is to allow SCTS the ability to review the data that will be transferred across from the 14 Scottish Assessors and allow SCTS to build import scripts to aid loading this data into SCTS's system (TCMS). When the new First-tier Tribunal for Scotland (Local Taxation Chamber) goes-live on 1 April 2023, having access to this data will allow caseworkers the ability to administer appeals previously processed and disposed of by the Valuation Appeal Committees (VACs).

3.2 Aims & benefits

The aim of this data sharing agreement is to provide a general, over-arching agreement between all organisations; SCTS and the 14 Scottish Assessors, which allows data currently stored on the 14 different Scottish Assessors systems to be transferred across to SCTS. The benefit of SCTS having access to this data ahead of 1 April 2023 will allow them to have visibility of the different data structures which need checked by SCTS to allow them to build an import routine that ensures the data can be seamlessly migrated into TCMS ahead of the Local Taxation Chamber going live on 1 April 2023

If SCTS does not receive the data currently held on the Scottish Assessors 14 different systems before the chamber goes live on 1 April 2023, then there is a risk that when the files are sent across, the data import process will fail resulting in no appeal data being available in TCMS for caseworkers to start processing, causing delays to appellants.

3.3 Limitations on use

SCTS would be the Data Controller for the purpose of receiving data and checking the quality of data to ensure the appropriate import scripts can be run to ensure the migration of data into TCMS is as smooth as possible.

3.4 Further disclosure

SCTS will not disclose the data to any other organisations without the express written permission of the Scottish Assessors.

4. Data to be shared

4.1 Personal data

The following personal data which will be processed include: name; role (proprietor, tenant, owner, agent); property address; correspondence address; email address; telephone number; rateable value of the property; net annual value of the property; council tax band; grounds for appeal.

4.2 Special category personal data

No special category personal data will be shared between the parties.

4.3 Data to be matched or linked

None of the data which will be transferred from the 14 Scottish Assessors to SCTS will be matched or linked.

5. **Process for sharing**

5.1 Transfer of data

SCTS will be supplying a standard excel template to the Scottish Assessors who will then provide SCTS with the required data elements which will then be reviewed by SCTS before the files are imported into the current SCTS system (TCMS). This exercise will result in SCTS being provided with a standard data set sent from the 14 Scottish Assessors, which will allow checks to be carried out by SCTS to confirm all data received is what is expected. Should any issues arise from the files which are sent from Scottish Assessors to SCTS then SCTS will go back to the relevant party who submitted the template and get them to rectify the issues.

Each Scottish Assessor will send across a zipped email with a sample of “live / indicative” data to [REDACTED] at [REDACTED]. The excel spreadsheets will be password protected. Each Scottish Assessor will then provide a second email containing the password for the file. Once Dane has saved the sample files into a secure location, the files will be deleted from SCTS email system. The files will be reviewed to build import routines. Data will be loaded into a secure TCMS environment accessed only by Dane Stewart.

The process will then be repeated with the 14 Scottish Assessors sending across final files via zipped emails to [REDACTED] at [REDACTED] which will be password protected containing the full volume of live data in order for SCTS to conduct a Dress Rehearsal of the load. Each Scottish Assessor will then provide a second email containing the password for the file. Once the final files have been received, they will be loaded into TCMS in preparation for the Local Taxation Chamber going live on the 1 April 2023. Once all files have been loaded into live TCMS then all copies of the files and data in the secure TCMS environment will be deleted.

5.2 Format of data

SCTS will be supplying a standard excel template to the Scottish Assessors who will then provide SCTS with the required data elements which will then be reviewed by SCTS before the files are imported into the current SCTS system (TCMS).

5.3 Frequency of transfer

The frequency of transfer of sample files from the 14 different Scottish Assessors to SCTS will occur between now and when the first-tier Tribunal for Scotland goes live

on the 1 April 2023, at that point full files should be sent from the 14 different Scottish Assessors to SCTS.

5.4 Access restrictions

Data provided by the Scottish Assessors will be held on secure servers at SCTS to which only one named individual will have access. Data provided for the purposes outlined in this agreement will be deleted.

5.5 Retention

Data provided by the Scottish Assessors to SCTS for the purposes of reviewing the data prior to final migration will be deleted no later than 14 April 2023.

6. **Basis for sharing**

6.1 Legal gateway (also known as the power to share data)

Scottish Assessors

For the Valuation Roll:

Section 3(5) of the Local Government (Scotland) Act 1975 states:

Any person interested may at all reasonable times, free of charge, inspect and take copies of and extracts from any valuation roll prepared under the Valuation Acts and in the possession of the assessor; and an assessor shall, on an application made to him by any interested person, inform that person whether any entry in the valuation roll is subject to a pending appeal or complaint.

For the Council Tax Valuation List:

Section 91(1) of the Local Government Finance Act 1992 states:

A person may require a local assessor to give him access to such information as will enable him to establish what is the state of a list, or has been its state at any time since it came into force, if—

- (a) the local assessor is maintaining the list; and
- (b) the list is in force or has been in force at any time in the preceding 5 years.

The Scottish Courts and Tribunals Service (SCTS)

SCTS considers that the disclosure of the data set out in this agreement is required in order for SCTS to undertake its administrative responsibility to co-ordinate activities with Scottish Assessors in order to ensure the smooth transition of appeals from Scottish Assessors to the Local Taxation Chamber. Without the data requested SCTS will not be able to ensure the Local Taxation Chamber can process appeals from 1 April 2023.

Section 61A of the Judiciary and Courts (Scotland) Act 2008 sets out the functions of the Scottish Courts and Tribunals Service providing which is ensuring the provision

of, property, services, officers and other staff required for the purposes of the Scottish Tribunals, the members of those Tribunals. In carrying out that function, taking account of the needs of members of the public and those involved in proceedings in the Tribunals, and so far as practicable and appropriate, co-operating and co-ordinating activity with any other person having functions in relation to the administration of justice.

Legislation relevant to the Local Taxation Chamber has been published in:

- the First-tier Tribunal for Scotland Local Taxation Chamber (Rules of Procedure) Regulations 2022;
- the First-tier Tribunal for Scotland (Transfer of Functions of Valuation Appeals Committees) Regulations 2022;

6.2 Lawful basis for processing

Scottish Assessors and SCTS

Article 6(1) (e) of the General Data Protection Regulation (GDPR) states:

The processing of personal data is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

6.3 Relationship

SCTS will be a Data Controller of the data provided by the Scottish Assessors for the purposes of reviewing the data that will be transferred across from the Scottish Assessors and allow SCTS load this data into SCTS's system (TCMS) prior to the 1 April 2023.

SCTS will be the Data Controller of the final data set provided by the Scottish Assessor from 1 April 2023 any other personal data contained in any documents provided by the Scottish Assessor as part of requirements for setting up the Local Taxation Chamber.

7. Information assurance & security

SCTS will process and store data collected in compliance with Article 32 of the UK General Data Protection Regulations.

7.1 Physical security

SCTS photographic security pass holders can use their passes to gain access to all SCTS buildings by presenting their pass to the security officers on duty or by utilising the automated access control system in place. There are further restrictions within buildings, for example the data centre (located in Saughton House) is access controlled.

7.2 Technical security

All computers in SCTS run on the SCTS network. Access to the network (and therefore all SCTS systems and data) requires a username and password.

Internal data and systems are monitored and managed by SCTS ensuring that systems are protected to a high level. This includes patch management and annual independent penetration tests to ensure that externally facing services are properly protected.

All SCTS systems are designed to be resilient and recoverable. This is partly achieved through the design of internal infrastructure where backup and offsite configurations are implemented as appropriate following disaster recovery planning process.

7.3 Management of a security incident or personal data breach

In the event of a security incident or data breach SCTS will follow the SCTS Data Breach Incident Response Plan and will also inform the Scottish Assessors within 24 hours of becoming aware of any breach. The contact details for notification in the event of the security incident or personal data breach is included in this agreement.

8. **Information management**

8.1 Freedom of Information and Environmental Information requests

For the period between when this agreement is signed off and 1 April 2023, SCTS and each Scottish Assessor will be responsible for responding to any FOISA requests which each authority may receive relating to this Agreement under the Freedom of Information (Scotland) Act 2002 (FOISA) and the Environmental Information (Scotland) Regulations, 2004 (EIR)

All authorities agree to consult to ensure that all relevant authorities are made aware of FOISA and EIR requests and are given the opportunity to make representations regarding disclosures and exemptions. The final decision on disclosure, or the application of exemptions, will rest with the authority who received the request.

8.2 Individual Rights Requests

For the period between when this agreement is signed off and 1 April 2023, SCTS will be a data controller for the data held and will respond to any request made in line with current SCTS policies and procedures. If a request is received from a data subject the relevant Scottish Assessor will be informed of that request.

Following 1 April 2023, SCTS (the Local Taxation Chamber) would become the Data Controller and would follow existing SCTS policies and processes. The Scottish Assessor after 1 April 2023 would not be informed of a request.

9. Data Protection Impact Assessment (DPIA)

A DPIA has been carried out as part of this project and will be provided to the Scottish Assessors prior to any data being shared.

10. Privacy notices

SCTS will publish privacy notices in relation to any personal data shared under this agreement.

11. Retention & deletion

This data sharing agreement will be in place until 1 April 2023, at which point it will terminate when SCTS (LTC) become the Data Controller. All sample files will be deleted no later than 14 April 2023.

12. Management of agreement

12.1 Commencement and duration

This agreement shall commence when it has been signed by all parties and returned to SCTS.

12.2 Review & changes to agreement

As this is a short term agreement, once this Data Sharing Agreement has been agreed and signed by both SCTS and Scottish Assessors no further changes to the agreement will be made.

13. Signatories

By signing this agreement the Parties confirm that they accept its terms.

Name	Designation	Address
[REDACTED]	Director, Tribunals	Glasgow Tribunals Centre 20 York Street, Glasgow G2 8GT
Email Address	[REDACTED]	
Signature:	[REDACTED]	
Date of signing:	17 March 2023	
Date of Delivery:	17 March 2023	
Place of Signing:	Glasgow Tribunals Centre 20 York Street, Glasgow G2 8GT	
Witness Signature:	[REDACTED]	
Witness Name:	[REDACTED]	
Witness Address:	Glasgow Tribunals Centre 20 York Street, Glasgow G2 8GT	

Name	Designation	Address
[REDACTED]	Assessor for Fife Council	PO Box 18092, Glenrothes, KY7 9EL
Email Address	[REDACTED]	
Signature:	[REDACTED]	
Date of signing:	7 TH MARCH 2023.	
Date of Delivery:	7 TH MARCH 2023.	
Place of Signing:	FIFE HOUSE, GLENROTHES.	
Witness Signature:	[REDACTED]	
Witness Name:	[REDACTED]	
Witness Address:	[REDACTED]	

Name	Designation	Address
	Assessor for Tayside Valuation Joint Board	William Wallace House Orchard Loan Orchardbank Business Park Forfar DD8 1WH
Email Address		
Signature:		
Date of signing:	7/3/2023	
Date of Delivery:	7/3/2023	
Place of Signing:		
Witness Signature:		
Witness Name:		
Witness Address:		

Name	Designation	Address
Magnus Voy	Assessor for Ayrshire Valuation Joint Board	9 Wellington Square, Ayr, South Ayrshire KA7 1HL
Email Address		
Signature:		
Date of signing:	03/03/2023	
Date of Delivery:	06/03/2023	
Place of Signing:	9 WELLINGTON SQUARE, AYR, KA7 1HL	
Witness Signature:		
Witness Name:		
Witness Address:	9 WELLINGTON SQ. AYR, KA7 1HL	

Name	Designation	Address
[REDACTED]	Assessor for Central Scotland Valuation Joint Board	Hillside House Laurelhill Business Park Stirling FK7 9JQ
Email Address	[REDACTED]	
Signature:	[REDACTED]	
Date of signing:	3 - 3 - 2023	
Date of Delivery:	3 - 3 - 2023	
Place of Signing:	HILLSIDE HOUSE, STIRLING	
Witness Signature:	[REDACTED]	
Witness Name:	[REDACTED]	
Witness Address:	HILLSIDE HOUSE, STIRLING	

Name	Designation	Address
[REDACTED]	Assessor for Dumfries & Galloway Council	Militia House, English Street Dumfries DG1 2HR
Email Address	[REDACTED]	
Signature:	[REDACTED]	
Date of signing:	3 March 2023	
Date of Delivery:	3 March 2023	
Place of Signing:	MILITIA HOUSE DUMFRIES	
Witness Signature:	[REDACTED]	
Witness Name:	[REDACTED]	
Witness Address:	[REDACTED]	

Name	Designation	Address
[REDACTED]	Assessor for Dunbartonshire and Argyll & Bute Valuation Joint Board	235 Dumbarton Road, Clydebank G81 4XJ
Email Address	[REDACTED]	
Signature:	[REDACTED]	
Date of signing:	16/03/2023	
Date of Delivery:	16/03/2023	
Place of Signing:	Clydebank	
Witness Signature:	[REDACTED]	
Witness Name:	[REDACTED]	
Witness Address:	[REDACTED]	

Name	Designation	Address
[REDACTED]	Assessor for Glasgow City Council	PO Box 27111 Glasgow G4 7DP
Email Address	[REDACTED]	
Signature:	[REDACTED]	
Date of signing:	06 March 2023	
Date of Delivery:		
Place of Signing:	Rm 3.14, 40 JOHN ST., GLASGOW.	
Witness Signature:	[REDACTED]	
Witness Name:	[REDACTED]	
Witness Address:	[REDACTED]	

Name	Designation	Address
	Assessor for Grampian Valuation Joint Board	Woodhill House Westburn Road Aberdeen AB16 5GE
Email Address		
Signature:		
Date of signing:	6 March 2023	
Date of Delivery:	6 March 2023	
Place of Signing:	Woodhill House, Westburn Road, Aberdeen, AB16 5GE	
Witness Signature:		
Witness Name:		
Witness Address:		

Name	Designation	Address
	Assessor for Highlands & Western Isles Valuation Joint Board	Moray House 16 – 18 Bank Street Inverness IV1 1QY
Email Address		
Signature:		
Date of signing:	15/03/23	
Date of Delivery:		
Place of Signing:	INVERNESS	
Witness Signature:		
Witness Name:		
Witness Address:		

Name	Designation	Address
[REDACTED]	Assessor for Lanarkshire Valuation Joint Board	David Dale House, 45 John Street, Blantyre Glasgow, G72 0AA
Email Address	[REDACTED]	
Signature:	[REDACTED]	
Date of signing:	6 March 2023	
Date of Delivery:		
Place of Signing:	David Dale House, 45 John Street, Blantyre G72 0AA	
Witness Signature:	[REDACTED]	
Witness Name:	[REDACTED]	
Witness Address:	[REDACTED]	

Name	Designation	Address
[REDACTED]	Assessor for Lothian Valuation Joint Board	17A South Gyle Crescent Edinburgh EH12 9FL
Email Address	[REDACTED]	
Signature:	[REDACTED]	
Date of signing:	3 March 2023	
Date of Delivery:	3 March 2023	
Place of Signing:	17A South Gyle Crescent, Edinburgh EH12 9FL	
Witness Signature:	[REDACTED]	
Witness Name:	[REDACTED]	
Witness Address:	[REDACTED]	

Name	Designation	Address
[REDACTED]	Assessor for Orkney & Shetland Valuation Joint Board	8 Broad Street Kirkwall Orkney KW15 1NX
Email Address	[REDACTED]	
Signature:	[REDACTED]	
Date of signing:	13/3/2023	
Date of Delivery:	13/3/2023	
Place of Signing:	8, BROAD STREET, KIRKWALL, KW15 1NX	
Witness Signature:	[REDACTED]	
Witness Name:	[REDACTED]	
Witness Address:	[REDACTED]	

Name	Designation	Address
[REDACTED]	Assessor for Renfrewshire Valuation Joint Board	The Robertson Centre 16 Glasgow Road Paisley PA1 3QF
Email Address	[REDACTED]	
Signature:	[REDACTED]	
Date of signing:	3rd March 2023	
Date of Delivery:	3rd March 2023	
Place of Signing:	THE ROBERTSON CENTRE 16 GLASGOW ROAD PAISLEY PA1 3QF	
Witness Signature:	[REDACTED]	
Witness Name:	[REDACTED]	
Witness Address:	[REDACTED]	

Name	Designation	Address
[REDACTED]	Assessor for Scottish Borders Council	Council Headquarters Newtown St Boswells Melrose TD6 0SA
Email Address	[REDACTED]	
Signature:	[REDACTED]	
Date of signing:	03.03.2023	
Date of Delivery:	06.03.2023	
Place of Signing:	10 Quarrydene, Melrose, TD6 9SZ	
Witness Signature:	[REDACTED]	
Witness Name:	[REDACTED]	
Witness Address:	[REDACTED]	