

HSCP Privacy Statement

How we will process personal information under the new data protection laws that came into force on 25 May 2018.

Privacy notice - Social work information

Who will process your information

The personal information you give to us through any of our forms relating to adult and child social work services, and any other personal information we obtain or hold about you in this context, will be processed by East Renfrewshire Council, Eastwood Park Giffnock G46 6UG for the purposes of our statutory functions relating to the provision of adult and child social work services.

Why do we process your information?

Your information is processed to help us fulfil our statutory functions relating to the provision of social work services to adults and children in the council's area, including providing support and/or advice to those who need it. Your information may also be shared with other departments within the council and other organisations for the same purposes and also to

- check the information we have is accurate;
- prevent and/or detect crime; and
- protect public funds

Other organisations comprise bodies responsible for auditing or administering public funds, other councils, public sector agencies, government departments, regulatory and law enforcement bodies and other private companies or entities involved in the provision of social care services.

What is the legal basis for us to process your information?

The council processes your information in order to perform a task carried out in the public interest and in the exercise of official authority, namely the task of performing our statutory functions under legislation relating to adult and child social work, including the Social Work (Scotland) Act 1968, the Children (Scotland) Act 1995, the Adult Support and Protection (Scotland) Act 2007 and the Children and Young People (Scotland) Act 2014, and (to the extent that tasks may involve financial grants or other expenditure) also to fulfil its legal obligations to ensure proper administration of the council's financial affairs in terms of the Local Government (Scotland) Act 1973.

The law gives certain types of information special significance because of its sensitivity eg health information. If we process this type of information about you in relation to social work services we do so on the basis that it is necessary for the purpose of exercising functions conferred on the council by legislation, and necessary for reasons of substantial public interest. These reasons include the Council being able to process the personal data of in-need or at-risk children and adults, and

other individuals connected to them, so as to be able to support them or to intervene to protect them.

Do you have to provide your information?

Without the correct information we may be unable to provide important services to people who need them. You do not have to provide information to the council in relation to the social work services we provide, but we have powers to acquire information by other means including by carrying out investigations to ensure that those in need of the social work services provided by the council receive them and that vulnerable children and adults are appropriately safeguarded.

In circumstances where you are seeking advice or support from the council, we may be unable to provide this to you unless you provide us with the information we require. We may also require information from you in order to determine whether you will need to contribute towards the cost of any services we provide to you. Where you do not supply that information we may assume that you are able to meet the cost of our services and require you to pay for them, in which case you may not receive certain benefits, reductions or discounts to which you are entitled.

How do we collect information about you?

Much of the personal data the council holds in relation to social work matters will come directly from the individual themselves. Other information may come from third-party sources including other local authorities, schools, the NHS, the police, charities, individuals and others in the East Renfrewshire area, or from the council's own investigations.

Such information may comprise:-

- your name,
- your age
- your family circumstances
- your economic circumstances
- medical information
- information on your sex life
- details of any interactions with the police or social work services
- information relating to criminal convictions and offences
- dates of residence in particular premises

How long will we keep your information?

The council will hold your information for as long as it is necessary for the purposes of our statutory functions relating to the provision of social work services within the council's area, for the purposes of recording, monitoring and/or managing the provision of social work services and expenditure of public funds by the council, or for the purposes of otherwise satisfying any legal, accounting, or

reporting requirements. If it ceases to become necessary to retain information for these purposes it will be destroyed under confidential conditions.

Who is your information shared with?

Your information will be accessed by council staff who need to do so to provide, administer or manage social work services.

The council also needs to ensure proper administration of its funds so details will be checked internally for fraud prevention and verification purposes. Information is also analysed internally in order to provide management information and inform future service delivery.

Your information may, where it is necessary for the purposes recorded above, also be shared with other departments within the council, bodies responsible for auditing or administering public funds, other councils, schools, the NHS, the police, public sector agencies and governmental departments, as well as other private or charitable companies or entities (such as service providers or, in relation to any assessment of your ability to contribute financially to services, credit reference agencies).

The council also generally complies with requests for specific information from other regulatory and law enforcement bodies where this is necessary and appropriate.

Do we transfer your information outside the UK?

In general we do not transfer personal information outside the UK but on the rare occasions we do we will inform you.

We will only transfer information outside the UK when we are satisfied that the party that will handle the data and the country it is being processed in have adequate safeguards for personal privacy comparable to those which are in place in the UK.

Profiling and automated decision-making

The council do not use profiling or automated decision-making in relation to our social work functions. Some processes are semi-automated but a human decision-maker will always be involved before any decision is reached in relation to you.

Your rights

You have the right to:

1. Be informed of the council's use of your information
This notice is intended to give you relevant information to meet this right.
2. Access personal data held about you
You have the right to access personal information the council holds about you by making what is known as a subject access request. Subject to certain exceptions, you can receive a copy of your personal data held by the council, details on why it is being held, who it has

been or will be shared with, how long it will be held for , the source of the information and if the council uses computer systems to profile or take decisions about you.

3. Request rectification of your personal data
You have the right to request that the council corrects any personal data held about you that is inaccurate.
4. Request that the council restricts processing of your personal data
You have the right to request that the council restricts processing your personal data if you think the personal data is inaccurate, the processing is unlawful, the council no longer needs the personal data but you may need it for a legal purpose or you object to the council processing for the performance of a public interest task.
5. To object to the processing of your data
You have the right to object to the council's use of your personal data. The council will have to demonstrate why it is appropriate to continue to use your data.

Complaints

If you have an issue with the way the council handles your information or wish to exercise any of the above rights in respect of your information you can contact the council's data protection officer by post at:

The Data Protection Officer
East Renfrewshire Council
Council headquarters
Eastwood Park
Giffnock
G46 6UG
or by email at dpo@eastrenfrewshire.gov.uk

You have the right to complain directly to the Information Commissioner's office (ICO).

The address of their head office is:

Wycliffe House,
Water Lane,
Wilmslow,
Cheshire,
SK9 5EF
Telephone: 0303 123 1113

Alternatively, you can report a concern via their website at www.ico.org.uk

The ICO also have a regional office at:

45 Melville Street,
Edinburgh
EH3 7HI
Telephone: 0303 123 1115
e-mail: scotland@ico.org.uk

While you can go directly to the ICO, the council would welcome an opportunity to address any issues you have in the first instance.