

Perth and Kinross Council Privacy Notice

Name of Processing Activity - Medically Prescribed Diets & Nut / Peanut Allergy

Date notice written - June 2019

1. Why is this information being processed?

This information is processed to record details of pupils who have a nut/peanut allergy or who adhere to a medically prescribed diet for other reasons.

Information processed by the Council is used to ensure people who have parental responsibility for these pupils are aware of potential cross contamination risks at the food source, and to confirm their acceptance or otherwise of this risk.

It is also used to record that an appropriate lunch menu has been requested for affected pupils.

2. Who is processing this information?

The personal information you've provided will be processed by Perth and Kinross Council, 2 High Street, Perth, PH1 5PH, enquiries@pkc.gov.uk, 01738 475000.

3. Why is it lawful for the Council to process this information?

The Council is permitted to process your personal data in this way to ensure that it holds accurate records of pupils with nut/peanut allergy or who adhere to a medically prescribed diet. It also keeps a record of communications about this with people who have parental responsibility.

Formally, the Council is permitted to process this information under the terms of Article 6(1)(c) of the General Data Protection Regulation – *processing is necessary for compliance with a legal obligation to which the controller is subject*

The Education (Scotland) Act 1980 obliges local authorities to provide and promote school meals. The Schools (Health Promotion and Nutrition) Scotland Act 2007, the Food and Drink in Schools (Scotland) Regulations 2008, the EU Food Information for Consumers Regulation (No.1169/2011) and the Food Information Regulations 2014, place further obligations on the Council with regard to the content of school meals and provision of information to consumers about allergens.

4. Will any sensitive personal information (Special Category Data or information about criminal convictions etc.) be processed?

Yes, details of relevant medical conditions will be recorded.

If so, why is it lawful for the Council to process this information?

Article 9 (2)(g) of the GDPR, with reference to Schedule 1, Part 2, 6 (2) (a) of the Data Protection Act 2018, permits the processing of Special Category Data when *processing is necessary for reasons of substantial public interest.*, and the purposes of processing is in *the exercise of a function conferred on a person by an enactment or rule of law.*

5. Will this information be shared?

The personal information provided will be shared with Tayside Contracts who are the operational provider of the school meals service.

Your personal information will not be disclosed to other third parties unless it's necessary for us to do so in order to verify its accuracy, prevent or detect crime, protect public funds or where required by law. The Council may check information provided by you, or information about you provided by a third party, with other information held by us.

6. How long will this information be kept for?

Personal information held on Perth and Kinross Council systems in relation to Medically Prescribed Diets and Nut and Peanut Allergy are kept until the end of Primary 7, unless otherwise requested by a person with parental responsibility.. After this it will be deleted.

7. Personal Information Rights

Individuals have rights in relation to the information the Council holds about them, including the right to request a copy of their information. You can find out more about your [Personal Information Rights](#) on our website or by contacting the Council's Information Governance team at the address below.

8. Data Protection Officer

The Council has a Data Protection Officer who you can contact in the first instance if you have any questions or complaints about how we are processing your personal information.

Please contact; Data Protection Officer, 2 High Street, Perth, PH1 5PH,
DataProtection@pkc.gov.uk, 01738 475444.

9. Information Commissioner's Office

If you want to complain about how the Council has processed your information you have the right to contact the Information Commissioner's Office (<https://ico.org.uk/> 0303 123 1113).

10. Information Governance Team

If you have any questions about how the Council processes your information, or if you would like a copy of this notice in another language or format, please contact the Information Governance team;

Information Governance

Legal and Governance Services

2 High Street

Perth

PH1 5PH

Email: DataProtection@pkc.gov.uk

Telephone:01738 477933