

Perth and Kinross Council Privacy Notice

Name of Processing Activity: Adult Social Care

Date Notice Written: 2023-10

1. Details of process for which personal information is being used:

Your information will be processed by us so we can provide you with social care services such as:

- Adult Support & Protection
- Alcohol and Drug Services
- Assessment & Care Management
- Care at home (in-house and purchased)
- Carer and Respite Services
- Day care and day opportunities
- Direct payments
- Housing – Aids and adaptations
- Local Area Coordination
- Mental Health Officer services
- Planning and Commissioning Services
- Rehabilitation and Occupational Therapy
- Residential and Care Home
- Supported accommodation and supported living.

We provide our adult social work services through Perth and Kinross Council Health & Social Care Partnership (“HSCP”). The HSCP was formed as part of the joined-up approach for services provided by Health Boards and Councils across Scotland. The HSCP manages community health services and creates closer partnerships between health, social care and hospital-based services.

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. Where do we collect this information from?

We collect information about you from you. We may also obtain information about you from other council departments or services.

In order to meet your health and wellbeing needs we may collect information from those with power of attorney or guardianship and carers, or those responsible for your health care such as your GP.

We may also collect information from our partners including NHS, Police Scotland, the Crown Office and Procurator Fiscal Service, the Office of the Public Guardian, and providers of care and support.

In order to ensure that we deal with any complaints we receive, we may obtain information from The Scottish Public Services Ombudsman (SPSO) or the Care Inspectorate.

4. Why is this information being processed?

The information provided by you will be used by Perth & Kinross Council to:

- Help us assess your social care needs and to plan and deliver support services that are best suited to your circumstances.
- Look at the support you provide to people you care for.
- Protect adults who may be at risk of harm.
- We may also use your information to help us improve our work with individuals and families.

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

The Council is permitted to process your personal data in this way because it has a legal obligation under the provisions of the:

- Social Work (Scotland) Act 1968
- Carers (Scotland) Act 2016
- Protection of Vulnerable Groups (Scotland) Act 2007
- Social Care (Self-Directed Support) (Scotland) Act 2013
- Community Care and Health (Scotland) Act 2002
- Adults With Incapacity (Scotland) Act 2000
- Adult (Support and Protection) (Scotland) Act 2007
- Mental Health (Care and Treatment) (Scotland) Act 2003
- Antisocial Behaviour etc (Scotland) Act 2004, and
- related legislation applying to the care and welfare of adults in Scotland.

Depending on the circumstances, or the reasons for processing of personal data, our lawful basis for processing your personal data is:

Article 6(1)(c) of the UK General Data Protection Regulation - *Processing shall be lawful...to the extent that processing is necessary for compliance with a legal obligation to which the controller is subject, or*

Article 6(1)(e) of the UK General Data Protection Regulation - *Processing is necessary for a task carried under official authority.*

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

Yes. Some of the information (e.g. criminal convictions, health information) that we process in order to provide this statutory function is sensitive or special category data.

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

The Council is allowed to process this information under the terms of Article 9 (2) (h) of the UK General Data Protection Regulation, with reference to Schedule 1, Part 1, Section 2 (1) of the Data Protection Act 2018 - *processing is necessary for the provision of health or social care or treatment or.... the management of health or social care systems and services.*

7. Will this information be shared?

Your personal information may be disclosed to third parties if it's necessary for us to do so in order to verify its accuracy, prevent or detect crime, protect public funds, where required by law or to allow us to provide a social care service. We may also be asked to share information with outside bodies including Police Scotland, Scottish Fire & Rescue Service, the Care Inspectorate, the NHS, and providers of social care services in specific circumstances linked to your health and social care support arrangements. We will only share relevant information when it's necessary and appropriate to do so.

The Council may check information provided by you, or information about you provided by a third party, with other information held by us.

8. How long will this information be kept for?

The length of time personal information is held on Perth and Kinross Council systems in relation to adult social care varies and will depend on the purpose for which it is collected. The Scottish Council on Archive Records Retention Schedules (SCARRS) sets out how long we keep records and the reasons why:

<https://www.scottisharchives.org.uk/resources/scarrs/>

9. 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.

10. 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.

11. 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).

12. 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