



East Dunbartonshire Council

PRIVACY NOTICE – ADULT SOCIAL WORK SERVICES (GENERAL)

Who will process my information?

The personal information you provide to East Dunbartonshire Council (“us” / “we”) or which we collect about you (“**Your Information**”) will be processed by us.

You can contact us at:

12 Strathkelvin Place, Kirkintilloch, G66 1TJ

0300 123 4510

customerservices@eastdunbarton.gov.uk

Why will my information be processed?

Your Information will be processed by us so we can provide you with social work services. We provide our social work services through East Dunbartonshire 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. The Council remains responsible for controlling Your Information.

These social work services include:

[Adult Intake](#)
[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 \(in-house and purchased\)](#)
[Supported accommodation and supported living](#)
[Telecare Services](#)

Your Information may also be processed to:

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

Why will my information be processed?

The Council may also be given personal information about you by another person or organisation, for example your carer, GP or Police Scotland. We will let you know when we receive such information and give you an updated privacy notice if the law says we must.

What sort of information will you process?

As well as identifying information, such as your name, age and contact details, we will also process information which is sensitive in nature. This is called “**Special Category Information**”, and includes information about your health, heritage, beliefs, and sexual orientation. The Council takes particular care over this type of information and will only use it where necessary and where there is a clear and lawful basis to do so. The General Data Protection Regulation (GDPR) gives the Council a lawful basis to use special category personal information in order to provide you with a social care service.

Who will have access to my information?

Your Information will only be accessed by employees who are involved in providing you with a social work service. This includes Council employees based in the Contact Centre and Hubs in addition to those in the HSCP. Under the Public Bodies (Joint Working) (Scotland) Act 2014, some individuals employed by NHS Greater Glasgow & Clyde within the HSCP will have limited access to your social work service record. Access by specified NHS employees is governed by an information-sharing protocol which is available here:

[http://www.nhsggc.org.uk/media/226802/NHSGGC%20%20LAs%20IS P_Final_May_2013.pdf](http://www.nhsggc.org.uk/media/226802/NHSGGC%20%20LAs%20IS%20P_Final_May_2013.pdf)

Who might my information be shared with?

Your Information might also be shared with

- Healthcare professionals employed within the HSCP
- Your GP and other healthcare professionals employed or contracted by NHS Greater Glasgow & Clyde
- Independent service providers commissioned to provide services on behalf of the Council/HSCP
- Other Council departments
- Glasgow & Partners Emergency Social Work Service
- Other local authorities
- Housing providers
- Other providers of goods and services
- The Care Inspectorate
- The Office of Public Guardian
- The Mental Welfare Commission for Scotland
- Scottish Public Service Ombudsman

**Who might
my
information
be shared
with?**

- Police Scotland
- Scottish Courts & Tribunal Service
- Scottish Fire & Rescue
- UK Benefits Agency
- Private companies or entities employed by the Council
- Bodies responsible for auditing or administering public funds
- Audit Scotland for the purposes of carrying out data matching exercises
- Public sector agencies
- Governmental Departments

Your Information will always be shared with these people and organisations on a “need to know” basis. This is so we can assess your needs and your eligibility for a social work or social care service, and thereafter so we can provide you with the most suitable services to support and protect you, and meet your needs. We will also share Your Information where necessary in order to protect children and adults at risk of harm, prevent crime and preserve life.

Your Information may also be shared with such people if we are required by law to provide such information to them. For example, under S.17 of the Mental Health (Care and Treatment) (Scotland) Act 2003, the Mental Welfare Commission may require East Dunbartonshire Council to assist it to investigate concerns that an individual with a mental illness or learning disability is not getting the right care or treatment. Your Information may be shared with them for this reason.

Under the Local Government (Scotland) Act 1973 the Council must make arrangements for the proper administration of our financial affairs and prevent and detect fraud. Under the Public Finance and Accountability (Scotland) Act 2000 the Council may have to disclose personal information to Audit Scotland for data matching purposes in order to prevent and detect crime and fraud.

**Why is it
necessary
for the
Council to
process my
information?**

The processing of Your Information is necessary to allow the Council to comply with the legal obligations under the following legislation, as appropriate to your circumstances:

- Section 12 of the Social Work (Scotland) Act 1968. This contains our general duty to provide social welfare services.
- Adults with Incapacity (Scotland) Act 2000. This Act requires the Council to provide a mental health officer service and perform other functions to ensure the welfare of adults who have lost mental capacity.

Why is it necessary for the Council to process my information?

- Mental Health (Care & Treatment) Scotland Act 2003. This Act requires the Council to provide a mental health officer service when you require care and/or treatment for a mental disorder, as well as support services in the community.
- Adult Support & Protection (Scotland) Act 2007. This Act requires the Council to make inquiries where it is known or believed you are an adult at risk of harm, and to intervene if necessary to protect your wellbeing, rights and property.
- Public Services (Reform) (Scotland) Act 2010. This Act requires the Council to keep and share your information with the Care Inspectorate when you are receiving social care services provided or commissioned by the Council/HSCP.
- Carers (Scotland) Act 2016. This Act requires the Council (and other organisations) to offer adult carers a support plan.

Do I have to provide my information to you?

Without the correct information about you we may not be able to provide you with the social work services you are entitled to.

How long will you keep my information for?

East Dunbartonshire Council uses the Scottish Council on Archives Records Retention Schedules (SCARRS) to manage the amount of time the Council keeps information. Further information on these can be found here. <http://www.scottisharchives.org.uk/scarrs>

Your Information will kept for a minimum period of time after you last receive a service from us. How long we keep Your Information varies depending on the type of service you receive from us and the legislation we are acting under. The main record categories (called SCARRS References) and how long we will keep Your Information for are as follows:

- **Social work support services for adults:**
 - General services (SCARRS Reference: 01.006.019)
 - Adults with learning disabilities (SCARRS Reference: 01.006.004)
 - Adults with mental health problems (SCARRS Reference: 01.006.011)
 - Occupational therapy services (SCARRS Reference: 01.006.013)
 - Adults with physical disabilities (SCARRS Reference: 01.006.017)
- **Social care services for adults, including residential, care at home and day services:**

**How long
will you
keep my
information
for?**

Adults using a care service (SCARRS Reference 01.004.004)

We will keep this information for 5 years after you last receive a service from us, or for 3 years after your death. At the end of this period, the information will be deleted or destroyed.

- **Social work support services for adults where statutory support and protection measures are taken:**

Adults with learning disabilities (SCARRS Reference 01.006.003)

Adults with mental health problems (SCARRS Reference 01.006.011 and 022 to 024)

Adults at risk of harm (SCARRS Reference 01.006.025 to 031)

Local Authority guardianship (SCARRS Reference 01.008.008)

We will keep this information for 10 years after you last receive a service from us, or 6 years after your death. At the end of this period, the information will be deleted or destroyed.

- **Social work care, support and protection services for adults with learning disabilities residing in 24 hour care:**

(SCARRS Reference 01.006.005)

We will keep this information for 100 years from the adult's date of birth, or 25 years after the death of the adult. At the end of this period, the information will be deleted or destroyed.

What are my rights?**Right of Access**

You have the right to access the personal information we hold about you. This right is called a Subject Access Request, often referred to as a SAR. You can receive a copy of your personal data held by us, details on why it is being used, who it has been/ will be shared with, how long it will be held for, the source of the information and if we use computer systems profile or take decisions about you. Details on how to submit a Subject Access Request can be found here:

<https://www.eastdunbarton.gov.uk/council/data-protection/subject-access-request>

Right to rectification

You have the right to request we correct any information held about you that is inaccurate.

Right to erasure

You have the right to request that we delete the personal information about you. This right is known as the right to be forgotten.

Right to restrict processing

You have the right to request that we stop using your personal information, while retaining a copy of it.

You have the right to complain to the Information Commissioner's Office should you be unhappy with the way the Council has processed your personal data. Details on how to report a concern can be found here <https://ico.org.uk/concerns/>

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number.
Fax: 01625 524 510

Should you have any questions or concerns about the Council's handling of Your Information, you can contact our Data Protection Officer who will be happy to discuss these with you.

East Dunbartonshire Council Data Protection Officer
Karen Donnelly
12 Strathkelvin Place, Kirkintilloch, G66 1TJ
Email: dpo@eastdunbarton.gov.uk
Tel: 0300 123 4510

Who do I contact if I have any complaints or concerns about how my information has been handled?