

Privacy Notice- Child Disability Payments

The Data Controller who are processing your personal data is Social Security Scotland.

Who are we?

Dumfries and Galloway Council is a local authority established under the Local Government etc.

(Scotland) Act 1994. Our head office is located at Dumfries and Galloway Council Headquarters, English Street, Dumfries, DG1 2DD. You can contact our Data Protection Officer by post at this address or by email at: dataprotection@dumgal.gov.uk, and by telephone on 0303 333 3000.

What information do we have and where did we get it from?

We have received personal information about you and your child or a child you care for from Social Security Scotland as part of your application for Child Disability Payment. The information we receive is applicants name, applicants address, child or young person's name and date of birth.

Why do we need your personal information and what will we do with it?

The personal information provided to Dumfries & Galloway Council comes from Social Security Scotland. Social Security Scotland require professionals within the Council to complete a questionnaire about your child to assist with the assessment. This may be a teacher or social worker. Questions include daily living, treatment and therapies and moving around outdoors.

What is our legal basis for using your information?

Under section 85 of the Social Security (Scotland) Act 2018, Social Security Scotland may require a local authority to supply information held by the person to the Scottish Ministers for the purpose of a social security function. This includes sharing of social care information, such as levels of social care being provided, levels of educational support and details of living aids, for the purpose of establishing whether an individual is entitled to disability assistance.

We provide these services to you as part of our statutory function as your local authority. Article 6(1)(e) of the EU General Data Protection Regulation (GDPR)

states that processing your personal information is necessary for the performance of a task carried out in the public interest by the council.

As part of this application, we may also process special categories of personal data. The legal basis for this is:

Article 9(2)(b) of the UK GDPR where processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law.

Article 9(2)(g) of the UK GDPR where processing is necessary for reasons of substantial public interest. This may include information about health.

Who do we share your information with?

We are legally obliged to safeguard public funds, so we are required to verify and check your details internally fraud prevention. - We may share this information with other public bodies (and also receive information from those other bodies) for fraud checking purposes.

We are also legally obliged to share certain data with other public bodies, such as Scottish Government External Auditors. In general, we will also comply with requests for specific information from other regulatory and law enforcement bodies where this is necessary and appropriate.

Your information is also analysed internally to help us improve our service. This data sharing is in accordance with our Information Use and Privacy Policy and covered in our Full privacy statement on our website. It also forms part of our requirements in line with our Records Management Plan approved in terms of the Public Records (Scotland) Act 2011.

How long do we keep your information for?

We only keep your personal information until the assessment is completed, maximum 6 months.

What are your rights under data protection law?

Access to information - you have the right to request a copy of the personal information that we hold about you.

Correcting your information - we want to make sure that your personal information is accurate, complete, and up to date. Therefore, you may ask us to correct any personal information about you that you believe does not meet these standards.

Deleting your information - you have the right to ask us to delete personal information about you where:

1. You think that we no longer need to hold the information.
2. We are using that information with your consent and that you have withdrawn your consent.
3. how we may use your information' below
4. Our use of your personal information is contrary to law or our other legal obligations.

Objecting to how we may use your information - you have the right at any time to tell us to stop using your personal information for direct marketing purposes.

Restricting how we may use your information - in some cases, you may ask us to restrict how we use your personal information. This right might apply, for example, where we are checking the accuracy of personal information that we hold about you or we are assessing the objection you have made to our use of information. This right might also apply if we no longer have a basis for using your personal information- but you do not want us to delete the data. Where this right is realistically applied will mean that we may only use relevant personal information with your consent, for legal claims or where there are other public interest grounds to do so.

Please contact the Data Protection Officer if you wish to carry out any of these rights.

We may use automated decision-making processes but very little use of profiling. Where these techniques are used, this will be explained in the specific privacy statements relating to those functions, together with a description of the reason involved in any automated decision making.

We aim to directly resolve all complaints about how we handle personal information, you can contact the Council's Data Protection Officer by email dataprotection@dumgal.gov.uk or by telephone 0303 333 3000.

You also have the right to lodge a complaint about data protection matters with the Information Commissioner's Office, who can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire

SK9 5AF

Telephone: 0303 123 1113 (local rate) or 01625 545 745

Visit their website for more information- <https://ico.org.uk/concerns>

If your complaint is not about a data protection matter you can find details on how to make a complaint at www.dumgal.gov.uk/complaints or email:

commentsandcomplaints@dumgal.gov.uk

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