

Social Work Services Privacy Notice

Who are we?

Dumfries and Galloway Council ('the Council') is a local authority established under the Local Government etc. (Scotland) Act 1994 and has its principal office at Council Offices, English Street, Dumfries. The main office for Social Work Services is at 122-124 Irish Street, Dumfries.

Social Work Services aims to ensure the safety and protection of vulnerable adults, young people and children and supports individuals and families to maintain independence and to exercise choice about the way they live their lives.

Social Work Services provide many functions to the public. This Privacy Notice explains how Social Work Services will collect and handle your personal information.

Why do we need your personal information?

We collect your personal information to provide the following Social Work services:

- Children and Families
- Adults
- Justice
- Public Protection
- Out of Hours

We will use your information to help us assess your social care needs and to plan and deliver support services that are best suited to your circumstances.

We will also use this information when looking at the support you provide to people you care for.

We use your information to keep our records accurate and up to date and to verify your identity, where required. Your personal information will be used to contact you by post, email or telephone.

We may also use your information to help us improve our work with individuals and families.

Who do we share your information with?

Social Care often involves multi-agency support, and we work with other agencies to plan and deliver this support. There are many agencies who we routinely share your information with to support and protect you. These include the NHS (your G.P, health visitor, district nurses, hospital staff, Scottish Ambulance Service and allied professions involved in your care and support).

If caring for a child we are likely to share information with your child's school or nursery, and possibly with The Scottish Children's Reporters Administration and Children's Panel.

We will share your information with care and support agencies who provide services to you or the person who you care for. We may share information with The Care Inspectorate if concerns are raised with them about services provided to you or someone you care for.

We will also share information with other Council services if we are working with them to provide services to you.

In addition, we may share information with some other agencies depending on your individual circumstances. These may include your housing provider, particularly if aspects of your support relate to housing adaptations or other housing-related issues, the Department of Work and Pensions in terms of benefits you may receive, The Office of the Public Guardian or Mental

Welfare Commission if you have been appointed in connection with or are the subject of a power of attorney or a welfare guardianship, Police Scotland and Scottish Fire and Rescue Service.

We are legally obliged to safeguard public funds and will verify and check your details internally for fraud checking purposes. We may share this information with other public bodies and also receive information from these other bodies. We need to show our own auditors and external bodies that we are providing proper services in accordance with the law.

We are also legally obliged to share certain data with other public bodies, such as HMRC, and will do so where the law requires this.

We will comply with requests for specific information from other regulatory and law enforcement bodies where this is necessary and appropriate. This will include sharing data with Disclosure Scotland with regards to your suitability to act as a carer for vulnerable individuals.

Data sharing will only take place where necessary when we are carrying out our legal duties based on your individual circumstances. We will follow the Council's Information Use and Privacy Policy and you can read the Council's full privacy notice at www.dumgal.gov.uk. Sharing data also forms part of our requirements in line with our Records Management Plan approved in terms of the Public Records (Scotland) Act 2011.

International transfers:

We will advise you if there is any need to transfer your personal data out with the UK and explain the reasons for this to you or your legal representative.

What is our legal basis for using your information?

We provide these services to you as part of our statutory function as your local authority under the provisions of the:

- Social Work (Scotland) Act 1968
- Carers (Scotland) Act 2016
- Protection of Vulnerable Groups (Scotland) Act 2007
- Children (Scotland) Act 1995
- Social Care (Self-Directed Support) (Scotland) Act 2013
- 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
- Children and Young People (Scotland) Act 2014
- Looked After Children (Scotland) Regulations 2009
- Foster Children (Scotland) Act 1984
- Adoption and Children (Scotland) Act 2007 and
- related legislation applying to the care and welfare of adults and children in Scotland.

You can find more details of the Council's role on our website at www.dumgal.gov.uk/privacy.

Social Work Services needs to use your personal information when carrying out its legal duties as set out in the list above. If you do not provide us with the information we have asked for then we may not be able to provide some of these services to you.

We also need to process more sensitive personal information about you for the purposes of the provision of social care and the management of health and social care systems and services as set out in the Data Protection Act 2018. It is necessary for us to process that data so we can provide such services to you and manage those services more widely.

We may also process data about any criminal convictions you have or offences you may have committed. This is because we have responsibility for the protection of children and vulnerable adults. Information about criminal offences or alleged offences will be processed by us where relevant to your care and support needs or the protection of vulnerable people.

How long do we keep your information for?

We will keep your information in line with our Retention Policy and for the minimum time necessary. Sometimes retention periods are set out in the law but in most cases, it is based on our business need. We maintain a Records Retention Schedule which sets out how long we keep different types of information for. You can contact us if you would like more info

Information you have given us about other people

If you give us information about other people, please make sure that you tell them that you have given their information to Social Work Services. We will only use this information as part of the assessment of your need for care and support and to contact them about any such services. If they want any more information on how we will use their personal information they can read this Privacy Notice.

What are your rights under data protection legislation?

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. You can ask us at any time 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 your personal information 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. Our use of your personal information is contrary to law or our other legal obligations

Objecting to how we may use your information – in certain circumstances, you have the right at any time to tell us to stop using your personal information.

Restricting how we may use your information - in some cases, you can ask us to restrict how we use your personal information. This right might apply, for example, if you are concerned about the accuracy of your data or how it is being used. This right might also apply if we no longer have a basis for using your personal information- but you don't want us to delete the data.

Withdrawing consent to use your information - where we use personal information with your consent, you may withdraw that consent at any time and we will stop using your personal information for that purpose(s) for which consent was given. Please note that in many cases, information held by Social Work Services is connected to a public task with a legal duty and consent is not the legal basis under which the information is held.

Please contact the Council's Data Protection Officer if you wish to discuss your data protection rights. If you have a concern or complaint about the way Social Work Services is collecting or using your personal information, you should contact the Data Protection Officer in the first instance. You can do this by email - dataprotection@dumgal.gov.uk or by telephone 030 33 33 3000.