

Health and Wellbeing Census privacy notice

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.

Education and Learning Directorate.

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

Dumfries and Galloway Council, Education and Learning undertake regular surveys of children and young people. This provides an opportunity for individuals to share their thoughts on their experience of being at school. It also supports school and Council improvement planning.

The Scottish Government is asking children and young people to undertake the Health & Wellbeing Census to allow comparable consistent data to be collected nationally. This will assist in evaluating the impact of interventions and support policy development. The surveys are not mandatory, so you can refuse to participate if you wish.

What is the lawful basis for processing?

Data protection legislation sets out the lawful basis for processing personal data.

The purpose of processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller. The Council has a statutory duty under the [Children and Young People \(Scotland\) Act 2014](#), and the National Improvement Framework.

Where we are collecting Special Category Data, which is sensitive personal data, the data protection legislation stipulates that there must be an additional basis for collecting this type of information.

The survey asks for information relating to children and young people's health and wellbeing. A person's health and information about whether they are sexually active is deemed special category data. Additionally, information about substance misuse or sexual activity which could potentially indicate criminal activity also requires a clear legal basis for collection. The basis for collecting these types of information is that it is necessary for statistical purposes and that there is a clear public interest in obtaining such statistical information.

What personal data will we ask for?

Pupils will be asked for responses to a set of questions about health and wellbeing. Pupils do not have to answer any questions they don't want to answer.

The survey has been designed in a way to minimise any concerns being identified as this is not the purpose to this collection.

What will we do with your data?

The data gathered will be used for statistical and research purposes and will provide us with information to help:

- plan, monitor and deliver better policies for the benefit of all,
- identify and share best practice,

- drive improvement at a local level and to help monitor the progress of national policies

Once the survey is complete the data will be securely downloaded from SmartSurvey by Dumfries and Galloway Council, the Controller of this information in terms of data protection legislation. Smart Survey are GDPR compliant and host their data in the UK. Further information can be found here <https://www.smartsurvey.co.uk/gdpr> Your progress is automatically saved after each page when completing the survey. This means that responses provided will be saved and submitted on your behalf, even if the survey was not completed.

The information will be securely shared with the Scottish Government for statistical and research purposes. The Scottish Government may then share this data with internal and external partners for statistical and research purposes and only in circumstances where the sharing is lawful and ethical.

Information will not be made publicly available at a level which allows identification of an individual.

You can obtain further information from the [Scottish Government on the Health and Wellbeing Census](#) and how they will use your data by accessing the links published on their website:

Who do we share your information with?

The Parental Involvement and Engagement Census survey asks for your Scottish Candidate Number (SCN) so that survey data can be linked to other information held on your pupil record. The linked data will also be shared between Dumfries and Galloway Council and the Scottish Government for statistical analysis and research purposes. The Scottish Government in turn may allow third party organisations, such as researchers or charities, access to this information.

More information on how the Scottish Government will use this information as well as the details of their own Privacy Statements can be found on their website

How long will we retain information about you?

We only keep your personal information for the minimum period amount of time necessary. Sometimes this time period is set out in the law, but in most cases it is based on the business need. We maintain a records retention and disposal schedule which sets out how long we hold different types of information for.

In this instance however, the personal data we hold about your health and wellbeing will be stored for longer periods as the data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes and is subject to implementation of the appropriate technical and organisational measures required by the UK GDPR in order to safeguard the rights and freedoms of individuals.

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 don't 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.

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 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