

## Perth and Kinross Council Privacy Notice

### Name of Processing Activity- Financial Assessments

Date notice written- 2019-10

#### 1. Why is this information being processed?

The information provided by you will be used by Perth & Kinross Council to financially assess your ability to contribute towards your care and support package and to invoice you accordingly.

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

The Council is permitted to process your personal data so that it can charge you in line with guidance issued by COSLA (Charging for Residential Accommodation Guidance and Charging Guidance-Non-residential Social Care)

Formally, the processing of personal data provided to us for this purpose satisfies Article 6 (1) (c) of the *General Data Protection Regulation - Processing shall be lawful...to the extent that processing is necessary for compliance with a legal obligation*. The Social Work (Scotland) Act 1968 places an obligation on local authorities to assess needs and provide services.

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

Yes

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

Some of the personal information that the Council processes when financially assessing your ability to contribute towards your care and support package – such as information about medical conditions - is more sensitive and is known as Special Category Data. When an organisation is processing Special Category Data it must provide details of why it's lawful for it to do so.

In the case of financial assessment, the Council is allowed to process this information under the terms of Article 9(2)(g) of the GDPR; this permits the processing of information when it's necessary to do so for reasons of substantial public interest.

Schedule 1, Part 2 Section 6(2)(a) of the Data Protection Act 2018 says that there is a public interest in the Council processing Special Category Data when it is done in "*the exercise of a function conferred on a person by an enactment or rule of law*". The relevant law in this case is the Social Work (Scotland) Act 1968.

## **5. Will this information be shared?**

Your personal information will not be disclosed to third parties unless it's necessary for us to do so in order to verify its accuracy, prevent or detect crime, protect public funds or where required by law. The Council may check information provided by you, or information about you provided by a third party, with other information held by us.

## **6. How long will this information be kept for?**

Personal information held on Perth and Kinross Council systems in relation to Financial Assessments is retained until the client's 75th birthday or 25 years after date of their death, whichever is later. After this it is deleted.

## **7. Personal Information Rights**

Individuals have rights in relation to the information the Council holds about them, including the right to request a copy of that 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.

## **8. Data Protection Officer**

The Council has a Data Protection Officer whom 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](mailto:DataProtection@pkc.gov.uk), 01738 475444.

## **9. 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).

## **10. 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](mailto:DataProtection@pkc.gov.uk)

Telephone:01738 477933