

Perth and Kinross Council Privacy Notice

Name of Processing Activity: Children's Social Care

Date Notice Written: 2023-10

1. Details of process for which personal information is being used:

Your information will be processed by us so we can provide you with social care services such as:

- Child protection
- Fostering, adoption and kinship care
- Residential and day services for children
- Assessing, working with, and providing support and resources for children with severe and complex needs and/or learning disabilities, or other needs.
- Youth Justice.

And to fulfil a range of statutory duties in relation to Child and Public Protection.

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. Where do we collect this information from?

We collect information about you from you. We may also obtain information about you from other council departments or services.

In order to meet your health and wellbeing needs we may collect information from those with parental responsibility, power of attorney or guardianship, and carers, or those responsible for your health care such as your GP.

We may also collect information from our partners including NHS, Police Scotland, Scottish Children's Reporter's Administration, Scottish Courts, other local authorities, and providers of care and support.

4. Why is this information being processed?

The information provided by you will be used by Perth & Kinross Council to:

- To assess individual needs of the child (and family).
- To support children (and their families) to manage the health and wellbeing of the child or young person.
- To provide or commission support services in the community or in residential based services for children.
- To protect children who may be at risk of harm.
- To assess and manage applications for adoption, to become foster carers, and kinship carers.
- We may also use your information to help us improve our work with individuals and families.

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

The Council is permitted to process your personal data in this way because it has a legal obligation under the provisions of the:

- Children and Young People (Scotland) Act 2014
- Social Care (Self-directed Support) (Scotland) Act 2013
- Social Work (Scotland) Act 1968
- Equality Act 2010
- Children's Hearings (Scotland) Act, 2011
- Social Care and Social Work Improvement Scotland (Requirements for Care Services) Regulations 2011
- Public Bodies (Joint Working) (Scotland) Act 2014
- Carers (Scotland) Act 2016
- Children & Young People (Information Sharing) (Scotland) Bill 2017
- Looked After Children (Scotland) Regulations 2009
- Adoption and Children (Scotland) Act 2007
- Children (Scotland) Act 1995, and
- related legislation applying to the care and welfare of children in Scotland.

Depending on the circumstances, or the reasons for processing of personal data, our lawful basis for processing your personal data is:

Article 6(1)(c) of the UK General Data Protection Regulation - *Processing shall be lawful...to the extent that processing is necessary for compliance with a legal obligation to which the controller is subject, or*

Article 6(1)(e) of the UK General Data Protection Regulation - *Processing is necessary for a task carried under official authority.*

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

Yes. Some of the information (e.g. criminal convictions, health information, religious beliefs, and sexual orientation) that we process in order to provide this statutory function is sensitive or special category data.

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

The Council is allowed to process this information under the terms of Article 9 (2) (h) of the UK General Data Protection Regulation, with reference to Schedule 1, Part 1, Section 2 (1) of the Data Protection Act 2018 - *processing is necessary for the provision of health or social care or treatment or.... the management of health or social care systems and services.*

7. Will this information be shared?

Your personal information may be disclosed to third parties if it's necessary for us to do so in order to verify its accuracy, prevent or detect crime, protect public funds, where required by law or to allow us to provide a social care service. We may also be asked to share information with outside bodies including Police Scotland, Scottish Children's Reporter's Administration, Scottish Courts, other local authorities, the NHS, and providers of social care services in specific circumstances linked to your health and social care support arrangements. We will only share relevant information when it's necessary and appropriate to do so.

The Council may check information provided by you, or information about you provided by a third party, with other information held by us.

8. How long will this information be kept for?

The length of time personal information is held on Perth and Kinross Council systems in relation to children's social care varies and will depend on the purpose for which it is collected. The Scottish Council on Archive Records Retention Schedules (SCARRS) sets out how long we keep records and the reasons why:

<https://www.scottisharchives.org.uk/resources/scarrs/>

9. Personal Information Rights

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

10. Data Protection Officer

The Council has a Data Protection Officer who 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, 01738 475444.

11. 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).

12. 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

Telephone: 01738 477933