PRIVACY NOTICE

Social Care – Sensory Service

Who we are

Moray Council, Council Office, High Street, Elgin, Moray, IV30 1BX, moray.gov.uk 01343 543451, is a Local Authority established under the Local Government etc. (Scotland) Act 1994. We are the Data Controller of the personal data being collected. Health and Social Care Moray is the Partnership between Moray Council and NHS Grampian to deliver health and social care services for Moray.

Why we are collecting your personal data

Personal data about you will be collected by the Council's Sensory Service in order to assess your sensory needs and deliver appropriate support, in fulfilment of the Council's statutory duties under the Social Work (Scotland) Act 1968.

The personal data that may be collected includes your: name (and surname at birth), contact details (address, email address and phone number), date of birth, gender, health information, and details of your sensory needs and communication preferences.

The data collected will be used for the following purposes:

- to carry out sensory assessments and reviews
- to understand your current needs and support arrangements
- to provide health and social care support
- to fulfil our safeguarding responsibilities, including Adult Support & Protection
- to communicate with you, your family, or your representatives.

Visual Impairment Register/Certificate of Vision Impairment (Scotland)

The Council has a duty under the Social Work Scotland Act 1968 to maintain a register of visually impaired people on behalf of the Scottish Government. Where you have been assessed by an ophthalmologist (eye specialist) as meeting the criteria for registration, they will complete a Certificate of Vision Impairment (CVI) (Scotland) form, and, with your agreement, will provide this to Moray Council so that we can add you to the Register. Please note, if you are eligible, but do wish to be added to the Register, you may find it more difficult to access associated benefits and entitlements in future.

Personal data we collect from other sources

In order to deliver sensory support, personal data about you may be collected from another source, such as:

- The National Health Service (NHS) – including clinicians involved in your care.
- Ophthalmologists, opticians or other sensory-related professionals.
- Family carers, guardians or those who hold Power of Attorney.
- North East Sensory Services (NESS).

Personal data you give us about other people

If you, or your representative have provided, or have been asked to provide, someone else's personal data for a specific purpose, for example guardianship information, or information about your emergency contact, or next of kin, if reasonable to do so, then please make sure that you have told them that you have given their personal data to us for this purpose. Typically, this will be a name and contact details (such as a telephone number) and their relationship to you. We will only use this information for this specific purpose.

Our legal basis

Whenever the Council processes personal data we need to make sure we have a legal basis for doing so. We understand the Council's legal basis in data protection law to be Article 6(1)(e) of the United Kingdom General Data Protection Regulation (UK GDPR) because your personal data is necessary for the performance of a task carried out in the public interest by the Council. The processing is necessary for the Council to comply with its legal obligations under:

- Chronically Sick and Disabled Persons (Scotland) Act 1972
- Social Work (Scotland) Act 1968

Personal data that counts as 'special category data', such as data about health, must satisfy extra conditions when processed. We understand our legal basis in data protection law for processing this special category data to be Article 9(2)(h) of the UK GDPR and Schedule 1, Part 1, Paragraph 2 of the Data Protection Act 2018; as the processing is necessary for the provision of health or social care or treatment, or the management of health or social care systems and services.

Who we share this personal data with

Under the Public Bodies (Joint Working) (Scotland) Act 2014, Local Authorities and Health Boards are required to work together to integrate health and social care services. As we work together with NHS Grampian to deliver integrated services through Health and Social Care Moray, your data may be shared with NHS Grampian. This Partnership is overseen by the Moray Integration Joint Board.

Personal data may be shared internally with authorised officers of the Council if having access to personal data is a necessary part of their roles to ensure records are accurate and up to date. It may also be shared with other relevant Council Services where applicable.

The Council may share this personal data with other relevant Council Services and third parties, where we are under a legal obligation to do so. For example, this may be with Police, Social Security Scotland, UK Border Agency or other Registered Professional Bodies.

The Council is required by law to protect public funds against fraud. It may share personal data with other relevant Council Services and third parties responsible for auditing and administering public funds, or who otherwise have responsibility for preventing and detecting fraud.

How long the information is held for

Your personal data will be securely stored by Moray Council for a pre-determined length of time. Information is only kept for the minimum amount of time necessary. We maintain a record retention schedule which sets out how long we retain different types of personal data. This is available on our website: www.moray.gov.uk/RetentionSchedules (under Section 5 of the Records Management Plan).

The Council stores information within the UK.

Please Note: Where we hold information that relates to children that have been in residential care, or looked after by Moray Council (or any of our predecessor bodies) between the year 1930 and the present day, we are currently not destroying any of our records. This is due to the ongoing Scottish Child Abuse Inquiry, investigating the abuse of children in Scotland who may require to use this information as part of the Inquiry. This will be the case until we receive further notification from the Inquiry.

Your rights

Moray Council is the Data Controller for this personal data. You have legal rights about the way the Council handles and uses your personal data. These include the right to ask for a copy of it, to ask us to correct it and to ask us to stop doing something with your personal data. As so far as the legislation permits, you also have the right to request the deletion of your data, and to object to the processing.

For more information about these rights, please see the Information Management pages on the Council's website here: www.moray.gov.uk/InformationRights. Alternatively, email the Council's Data Protection Officer at: IG@moray.gov.uk

If you have a concern about the way the Council has handled your personal data, you can make a complaint to the Council's Data Protection Officer in the first instance; an e-form is available on the Council's website here: www.moray.gov.uk/Complaints

You also have the right to make a complaint to the Information Commissioner's Office. They are the body responsible for making sure organisations like the Council handle your personal data lawfully.

Information Commissioner's Office
Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
Telephone: 0303 123 1113 Website: https://ico.org.uk/
Online: https://ico.org.uk/make-a-complaint/data-protection-complaints/