

Children and Families - Privacy Notice

How to contact us

Inverclyde Council will act as the 'Data Controller' in regard to the personal data you provide to us. The 'Data Controller' is based at Inverclyde Council, Information Governance, Municipal Buildings, Clyde Square, GREENOCK, PA15 1LY.

Please note that our Data Protection Officer is Vicky Pollock and our Information Governance team can be contacted at dataprotection@inverclyde.gov.uk or by telephone on 01475 712498.

What information do we need?

The information may include details such as:

- name
- address; and
- date of birth.

And sensitive information such as:

- information about your offending behaviour and or criminal convictions.

Why we need this information?

This notice is for both children and families who are in contact with the Council's local social work children and families teams. The Council will use your personal information to look into your circumstances to see if the child has social care needs that are eligible for our support, needs to be protected or is subject to certain legal orders that we supervise. The Council then works with other agencies to put in place plans to support and protect that child. The Council will also use your information to verify your identity where required, contact you by post, email or telephone, maintain council records, manage any funding of services and your contribution to these and to demonstrate to the Council's auditors and external regulators that the Council are providing proper services in accordance with the law.

The Legal Basis for using your information

The Council provides these services to you as part of our statutory function as a local authority under the provisions of the:

- Social Work (Scotland) Act 1968
- Social Care (Self-directed Support) (Scotland) Act 2013
- Children (Scotland) Act 1995
- Children & Young People (Scotland) Act 2014
- Looked After Children (Scotland) Regulations 2009
- Children's Hearings (Scotland) Act 2011
- Carers (Scotland) Act 2016

- Foster Children (Scotland) Act 1984
- Adoption and Children (Scotland) Act 2007
- Mental Health (Care and Treatment) (Scotland) Act 2003
- Criminal Procedure (Scotland) Act 1995
- Immigration and Asylum Act 1999
- and related legislation applying to the care and welfare of children in Scotland.

You can find more details of the council's role on our website at <https://www.inverclyde.gov.uk/>

Processing your personal information is necessary for the performance of a task carried out in the public interest by the Council as set out in the legislation referred to above. If you do not provide us with the information we have asked for then we will not be able to provide some of these services to you.

The Council will 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 in order to provide such services to you and manage those services more widely.

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

What we will do with your information?

All of the information we collect from you will be processed by staff in the United Kingdom.

The Council are legally obliged to safeguard public funds and will verify and check your details internally for fraud prevention. The Council may share this information with other public bodies (and also receive information from these other bodies) for fraud checking purposes. The Council are also legally obliged to share certain data with other public bodies, such as HMRC and will do so where the law requires this. The Council will generally comply with requests for specific information from other regulatory and law enforcement bodies where this is necessary and appropriate. Your information is also analysed internally to help us improve our services.

Social Care and Child Protection often involves multi-agency support. There are many other agencies with whom the Council routinely share your data with in order to support and protect children. The main ones the Council usually share your data with for those purposes include the NHS (your G.P, health visitor and any specialist whose care you are under, hospital staff, Scottish Ambulance Service and allied professions involved in your care and support). Within the council we are likely to share information with Education Services including any school the child attends, as well as Local Authority or private nurseries if the child is not of school age. The

Council will share information with The Scottish Children's Reporters Administration, the Scottish Courts and Children's Panels in many cases.

In addition, the Council 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, Police Scotland and Scottish Fire and Rescue Service. The Council may share information with any provider of care and support to you or your child, including foster and kinship carers and those being paid to provide services to you. The Council may share information with The Care Inspectorate if concerns are raised with them about certain services provided to you or your child. The Council will also share information with other Council services where we are working with them to provide services to you.

This data sharing will only take place when necessary to discharge our legal duties based on your individual circumstances. It will be done in accordance with the Council's privacy notice which is available at [privacy notice](#). It also forms part of the Council's requirements in line with our Records Management Plan approved in terms of the Public Records (Scotland) Act 2011.

In general the Council does not transfer personal data outside either the UK or the European Union and on the rare occasions when it does so the Council will inform you. The Council will only transfer data outside the UK and the EU when it is satisfied that the party which will handle the data and the country it is processing it in will provide adequate safeguards for personal privacy.

How long will we keep your information?

The Council maintains a Policy for the Retention and Disposal of Documents and Records Paper and Electronic which sets out how long we hold different types of information for. This is available on the Council's website at <https://www.inverclyde.gov.uk/law-and-licensing/freedom-of-information> or you can request a hard copy from the contact address stated above.

Your Rights

When you provide information to the Council, you will have the following rights:

- To withdraw consent at any time, where the legal basis specified above is consent
- To request access to your personal data
- To object, where the Legal Basis specified above is: i) public task or ii) legitimate interests
- To data portability, where the Legal basis specified above is i) consent or ii) performance of a contract
- To request rectification or erasure of your personal data, as so far as the legislation permits
- To restrict processing in certain circumstances, for example if the information is not accurate.

In addition, if you are unhappy with the way the Council have processed your personal data you have the right to complain to the UK Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, 08456 30 60 60, Email: www.ico.gov.uk but you should raise the issue with the Council's Data Protection Officer first.

Automated Decision Making

Not applicable.

More information:

For more details on how the Council processes your personal information visit www.inverclyde.gov.uk/privacy

If you do not have access to the internet you can contact the Council via telephone to request hard copies of our documents.