



Health and Social Care / Social Work Services

Privacy Notice

Who we are:

North Lanarkshire Council is a local authority constituted under the Local Government etc. (Scotland) Act 1994. Its head office is at Civic Centre, Windmillhill Street, Motherwell, ML1 1AB. North Lanarkshire Council is the data controller and responsible for your personal information.

This privacy notice covers all personal information processed by social work services, including service users, employees and other people who have been in contact with the services.

Commitment to Privacy

We are committed to protecting the privacy and confidentiality of any personal information that we hold. This privacy notice will tell you how we look after your personal information and tell you about your rights.

We will ensure that your personal information is kept secure, in line with the General Data Protection Regulation ("GDPR") and the Data Protection Act 2018. We will only collect the minimum information necessary to fulfil a particular purpose; when we don't have a need to keep information about you, it will be disposed of in a secure manner.

Information Commissioner's Office

You have the right to make a complaint at any time to the Information Commissioner's Office, the UK data protection regulator who can be contacted via the contact details below, however, we would welcome the opportunity to discuss your concerns with you before you do so:

Information Commissioner's Office
Wycliffe House

Water Lane
Wilmslow
Cheshire
SK9 5AF

Phone: 0303 123 1113 (local rate) or 01625 545 745 or visit their: [website](#)

Data Protection Officer

We have appointed a data protection officer (DPO) who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights, you can contact the DPO via the contact details below:

Data Protection Officer
North Lanarkshire Council
Civic Centre
Windmillhill Street
Motherwell
ML1 1AB

Email: DataProtection@northlan.gov.uk

The personal information we may hold about you

We may collect, store and use the following kinds of personal information about you:

- Personal details (such as name, address, date of birth, e-mail address, telephone number, mobile telephone number)
- Family details
- Lifestyle and social circumstances
- Transaction data, including details of payments and services provided
- Financial details
- Education and employment details
- Housing information
- Visual images, personal appearance and behaviours
- Case file information

We may collect, store and use the following special categories of more sensitive information, namely

- Information about your racial or ethnic origin, political affiliations and opinions, religious or philosophical beliefs, sex life or sexual orientation
- Trade union membership

- Health data

We may also collect, store and use information about your criminal convictions and offences.

Where we need to collect personal information by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with services). In this case, we may have to cancel a service you have with us but we will notify you if this is the case at the time.

For a full list of the data sets that we record on our centralised social work management information system (mySWIS), please see the end of this document.

Keeping your information up to date

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your relationship with us.

How your personal information is collected?

We use different methods to collect data from and about you.

Information and service requests If you request information or a service via email, letter or telephone, we may need your personal details to process that request. For example, you may give us personal information by filling in forms or by corresponding with us by post, phone, email, or otherwise. This includes personal information you provide when you apply for our services.

Online forms There is a range of online forms to allow you to make comment, request particular services, report a problem or pay a bill. Some forms are available to fill in anonymously, where others require you login and provide your details. If you are required to provide personal information we will use it only to process your request and thereafter in accordance with the purposes for which the services are provided.

Technical data To help us monitor website trends and statistics, our web server automatically collects visitor information such as IP address, city or country of origin, type of browser and operating system used, pages visited and duration of visit. We collect this personal information by using cookies, and other similar technologies. You can set your browser to refuse all or some cookies or to alert you when websites set or access cookies. If you disable or refuse cookies, please note some parts of this website may become

inaccessible or not function properly. Please see our [cookie policy](#) for further details.

Mailing Lists As part of the subscription process for our e-bulletins, we collect personal information. We use that information to tell you about services you've asked us about and to check every now and then that you're happy and satisfied.

We don't rent or trade email lists with other organisations and businesses.

We use a third party service provider, Grannicus GovDelivery Communications Cloud, to deliver our e-bulletins. We gather statistics around email opening and clicks using industry standard technologies to help us monitor and improve our e-bulletins. For more information, please see the GovDelivery privacy notice. You can unsubscribe to general mailings at any time by clicking the unsubscribe link at the bottom of any of our emails.

Other sources of data We may receive personal information about you from various third parties and public sources, including other agencies such as the NHS, other local authorities and Police Scotland as well as members of the general public.

Purposes for which we will use your personal data

We will only use your personal information when it is lawful to do so.

We will use your personal information to comply with our legal responsibilities.

This includes:

- providing services related to social care and health
- public protection
- making payments of benefits and grants
- carrying out health and public awareness campaigns
- supporting and managing our employees
- maintaining our accounts and records

We may retain personal information for evidential and historical reasons or use it for research and statistical purposes.

We may also use your personal information:

- for the prevention and detection of crime
- for the apprehension or prosecution of offenders
- for the assessment or collection of taxes or duties
- to prevent or detect unlawful acts

- to protect the public against dishonesty, malpractice or other seriously improper conduct
- to prevent fraud (including data matching under local and national fraud initiatives and the Housing Benefit Matching Service).

Basis of processing

Most commonly, we will use your personal information on the following basis:

- where necessary to perform a task carried out in the public interest or in the exercise of official authority vested in us
- where we need to comply with a legal or regulatory obligation
- where we need to perform the contract we are about to enter into or have entered into with you
- where necessary to protect your vital interests or those of another person
- where necessary for our legitimate interests (but not when we are performing our tasks as a public authority) or those of a third party and your interests and fundamental rights do not override those interests
- where you have given us permission to do so.
- We will use special categories of more sensitive information on the following basis:
 - where necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes
 - where necessary for reasons of substantial public interest
 - where necessary to establish, exercise or defend legal claims
 - where necessary to protect your vital interests or those of another person where the data subject is physically or legally incapable of giving consent
 - where you have given us explicit permission to do so.

We may process your personal information for more than one lawful ground depending on the specific purpose for which we are using your data

Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose.

If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is

required or permitted by law, such as if required for purposes of public protection, or for the prevention or detection of crime.

Sharing your personal information

We may have to share your personal information with the following parties for the purposes set out above.

- Arm's Length External Organisations (ALEOs) including but not limited to organisations such as Culture and Leisure NL Ltd and Routes to Work Ltd.
- Scottish Government
- Audit Scotland
- Department for Work and Pensions
- HM Revenue & Customs, regulators and other authorities.
- Police Scotland and other law enforcement agencies
- Healthcare professionals, including NHS Trusts

- Social care providers
- Charities and other voluntary organisations
- Office of the Public Guardian
- The Care Inspectorate
- Mental Welfare Commission
- Registered social landlords
- Scottish Prison Service
- Scottish Public Services Ombudsman
- The Scottish Information Commissioner
- The UK Information Commissioner
- Professional advisers including lawyers, bankers, auditors and insurers who provide consultancy, banking, legal, insurance and accounting services
- Credit reference agencies
- Fraud prevention agencies
- Debt collection and tracing agencies
- Courts, tribunals and hearings
- Private investigators
- Family, associates and/or representatives of persons whose personal information we process
- Disclosure Scotland
- The Electoral Registration Officer
- Service providers acting as processors who provide IT and system administration and support services (including Grannicus GovDelivery Communications Cloud).


We require all third parties to respect the security of your personal information and to treat it in accordance with the law. We do not allow our third party

service providers to use your personal information for their own purposes and only permit them to process your personal information for specified purposes and in accordance with our instructions.

How long will we hold your information

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal information, we consider the amount, nature, and sensitivity of the personal information, the potential risk of harm from unauthorised use or disclosure of your personal information, the purposes for which we process your personal information and whether we can achieve those purposes through other means, and the applicable legal requirements.

Details of  [retention schedules \[665kb\]](#) for different aspects of your personal information are available to download.

In some circumstances we may anonymise your personal information (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

Your Legal Rights

Under certain circumstances, you have rights under data protection laws in relation to your personal information. Please note that many of these rights only apply where we are processing your data if we are processing with your consent, rather than under another basis. In social work services, the majority of processing takes place under the basis of either:

- public interest or in the exercise of official authority vested in us
- legal or regulatory obligation
- where we need to perform the contract we are about to enter into or have entered into with you
- where necessary to protect your vital interests or those of another person

You have the right to:

Request access to your personal information (known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.

Request correction of the personal information that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

Request erasure of your personal information. If we are processing your personal information under the basis of consent, this enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal information to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

Object to processing of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal information for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

Request restriction of processing of your personal information. This enables you to ask us to suspend the processing of your personal information in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

Request the transfer of your personal information to you or to a third party. We will provide to you, or a third party you have chosen, your personal information in a structured, commonly used, machine-readable format where it is possible to do so securely. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

Not be subject to a decision based on solely automated processing if that produces a legal effect concerning you or similarly significantly affects you. Note that this right does not apply if the decision is (i) necessary for entering into, or performance of, a contract between us and you; (ii) authorised by law; or (ii) based on your explicit consent

Withdraw consent at any time where we are relying on consent to process your personal information. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw

your consent, we may not be able to provide certain services to you. We will advise you if this is the case at the time you withdraw your consent.

If you wish to exercise any of the rights set out above, please contact us at:

SW-infogov@northlan.gov.uk

No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal information (or to exercise any of your other rights). This is a security measure to ensure that personal information is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response. If a third party is making the request on your behalf, we may ask for additional information to confirm their identity and that they are acting on your authority.

Time limit to respond

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.