



From mountain to sea

Aberdeenshire Children’s Social Work Service Privacy Notice

The Data Controller of the information being collected is Aberdeenshire Council.

The Data Protection Officer can be contacted at Town House, 34 Low Street, Banff, AB45 1AY.

Email: dataprotection@aberdeenshire.gov.uk

Your information is being collected to use for the following purposes:

- To inform and support the assessment, care planning, service provision and review processes for children in need
- To protect a child at risk of and/or experiencing significant harm
- To inform Children’s Social Work service self-evaluation and improvements
- To allow payments to be made in relation to Self-Directed Support

Your information is:

Being collected by Aberdeenshire Council

The Legal Basis for collecting the information is:

Personal Data		Special categories of personal data	
Consent		The data subject has given explicit consent to the processing	
Performance of a Contract		Processing is necessary for the purposes of carrying out the obligations of the controller or of the data subject in the field of employment, and social security and social protection law	
Legal Obligations	X		
Vital Interests		Processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent	X

Task carried out in the Public Interest		Processing relates to personal data which are made public by the data subject	
Legitimate Interests ¹		Processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity	
		Processing is necessary for reasons of substantial public interest	
		Processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment, or the management of health or social care systems	X
		Processing is necessary for reasons of public interest in the area of public health	
		Processing is necessary for archiving purposes in the public interest , scientific or historical research purposes or statistical purposes	

Please tick all that apply

Where the Legal Basis for processing is either Performance of a Contract or Legal Obligation, please note the following consequences of failure to provide the information:

Local Authorities have a statutory duty for protecting and safeguard the welfare of children and young people. This includes where children are placed outside the authority's geographical boundaries or with carers or in establishments managed by providers other than the local authority. In relation to child protection matters, the local authority will share proportionate and relevant information with other agencies without your consent.

In relation to Self-Directed Support, if information is not provided, payment may not be able to be made.

¹ Please see the Privacy Notice Guidance for details of limited use of this ground for processing personal data

Your information will be shared with the following recipients or categories of recipient:

Where relevant:

- Department for Work and Pensions (DWP)
- National Health Service (NHS)
- Relevant Local Authorities
- Her Majesty's Revenues and Customs (HMRC)
- Approved Care and Support Service Providers
- Regional Communication Centre (RCC)
- Relevant Third Sector Organisations
- Police Scotland
- Scottish Fire and Rescue
- Scottish Government
- Scottish Social Services Council
- Audit Scotland
- The Scottish Children's Reporters Administration
- Children's Hearing Scotland
- Disclosure Scotland
- Scottish Courts and Tribunals

Payments

- Sheriff Officers
- Debt Collection Agencies

Your information will be transferred to or stored in the following countries and the following safeguards are in place:

Not applicable

The retention period for the data is:

Looked after and accommodated children's case file retention is 100 years

Child Protection case file retention is 35 years

Other cases 5 years

The following automated decision-making, including profiling, will be undertaken:

Not applicable

Please note that you have the following rights:

- to withdraw consent at any time, where the Legal Basis specified above is Consent;
- to lodge a complaint with the Information Commissioner's Office (after raising the issue with the Data Protection Officer first);
- to request access to your personal data;
- to object, where the legal basis specified above is:
 - (i) Performance of a 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.