

Shetland Islands Council

Emergency Funding to Households Scheme Data Protection Privacy Statement

Who we are?

Shetland Islands Council is a local authority established under the Local Government etc. (Scotland) Act 1994. Its office headquarters is located at 8 North Ness Business Park, Lerwick, Shetland, ZE1 0LZ, United Kingdom.

You can contact our Data Protection Officer by post at this address, by e-mail at: dataprotection@shetland.gov.uk and by telephone on (01595) 744 550.

The Data Protection Officer for Shetland Islands Council is the Executive Manager – Governance and Law.

Why do we need your personal information and what do we do with it?

Citizens Advice Bureau (CAB) are giving us your personal information to allow us to make an emergency funding payment to you.

Legal basis for using your information

We provide these services to you as part of our statutory function as your local authority. You can find more details of our role on our website.

Processing your personal information is:-

- a) Necessary for the performance of a task carried out in the public interest by the council

If you do not provide us with the information we have asked for then we may not be able to provide this service to you.

We may also need to process more sensitive personal information about you:-

- a) For reasons of substantial public interest as set out in the Data Protection Act 2018. It is necessary for us to process it to carry out key functions as outlined by law. Where we are relying on tasks carried out in the public interest or legal obligation as the lawful basis for processing, we rely on various pieces of legislation. Some of the key legislation and standards we adhere to are detailed below (as well as related legislation applying to the care and welfare of children in Scotland):-

- Adult Support & Protection (Scotland) Act 2007
- Adults with Incapacity (Scotland) Act 2000
- Carers (Scotland) Act 2016
- Children and Young People (Information Sharing) (Scotland) Bill 2017
- Children and Young People (Scotland) Act 2014
- Children (Scotland) Act 1995
- Criminal Procedures (Scotland) Act 2007
- Education (Additional Support for Learning) (Scotland) Act 2004
- Equality Act 2010
- Health and Social Care Standards 2017
- Housing (Scotland) Act 2001
- Mental Health (Care and Treatment) (Scotland) Act 2003
- Public Bodies (Joint Working) (Scotland) Act 2014

- Social Care (Self Directed Support) (Scotland) Act 2013
- Social Work (Scotland) Act 1968

As a Local Authority we are also scrutinised by:-

- Care Inspectorate
- Shetland Adult & Child Protection Committee
- Health and Social Care Professional Council (HCPC)
- Health Improvement Scotland
- Scottish Social Services Council

To all of these we report performance and practice to ensure our standards, conduct and practice adhere to the legislation and public expectation. Where data is used for statistical, performance and improvement purposes, it is anonymised.

What personal data we hold, and how we obtain it?

We hold the following information:

- name, address and contact details;
- eligibility information; and
- bank details.

These have been provided to us by CAB.

Who do we share your information with?

We will not share your information with anyone else.

Will we send your information outwith the UK?

We do not transfer your information outwith the UK. If it becomes necessary to do so, we would ensure that the appropriate safeguards are in place.

How long do we keep your information for?

We only keep your personal information for the minimum amount of time necessary. Sometimes this time period is set out in the law, but in most cases it is based on the business need. We maintain a records retention and disposal schedule which sets out how long we hold different types of information for. You can view this on our website at <http://www.shetland.gov.uk/information-rights/InformationManagement.asp> or you can request a hard copy from the address above.

We will keep the information provided for the current year, plus 6 years, in line with our Retention and Destruction Schedule.

Your rights under data protection law

Access to your information

You have the right to request a copy of the personal information that we hold about you.

Correcting your information

We want to make sure that your personal information is accurate, complete and up to date. Therefore you may ask us to correct any personal information about you that you believe does not meet these standards.

Deletion of your information

You have the right to ask us to delete personal information about you where:

- you think that we no longer need to hold the information for the purposes for which it was originally obtained
- you have a genuine objection to our use of your personal information – see *Objecting to how we may use your information* below
- our use of your personal information is contrary to law or our other legal obligations.

Objecting to how we may use your information

You have the right at any time to tell us to stop using your personal information for direct marketing purposes.

Restricting how we may use your information

In some cases, you may ask us to restrict how we use your personal information. This right might apply, for example, where we are checking the accuracy of personal information that we hold about you or we are assessing the objection you have made to our use of your information.

This right might also apply if we no longer have a basis for using your personal information but you don't want us to delete the data. Where this right is realistically applied will mean that we may only use the relevant personal information with your consent, for legal claims or where there are other public interest grounds to do so.

Please contact us as stated above if you wish to exercise any of these rights.

Information you have given us about other people

If you have provided anyone else's details to the Council, please make sure that you have told them that you have given their information to Shetland Islands Council. We will only use this information for a specific purpose, e.g. to contact those people in the event of an emergency, to assess your own entitlement to a service or to contact them in order to take up references in the event that you are successful in your job application.

If they want any more information on how we will use their information they can visit our web site at <http://www.shetland.gov.uk/information-rights/DataProtection> or email dataprotection@shetland.gov.uk.

Profiling or automated decision-making processes

We do not use any profiling or automated decision making processes.

Complaints

We aim to directly resolve all complaints about how we handle personal information. If your complaint is about how we have handled your personal information, you can contact the Council's Data Protection Officer by E-mail at dataprotection@shetland.gov.uk or by Phone on (01595) 744 550.

However, you also have the right to lodge a complaint with the Information Commissioner's Office, who can be contacted by post at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

Phone: 0303 123 1113 (local rate) or 01625 545 745.

Visit their website for more information at- <https://ico.org.uk/concerns>

Please note if your complaint is not about a data protection matter or does not concern the handling of personal information, please contact us using the Council's Complaints Handling Procedure.