

How your personal Information is used by Adult Support and Protection in Midlothian

Here at Midlothian Council, we take your privacy seriously. Under the Data Protection Act 2018, you have a right to know how we collect, use and share your personal data.

This privacy notice explains the information we need in order to carry out Adult Support and Protection services. This activity is part of the Adult Health and Social Care service provided by Midlothian Council. More information about the Adult Health and Social Care service privacy notice can be found by clicking www.midlothian.gov.uk/privacy

Our Privacy Promise

We promise to collect, process, store and share your data safely and securely.

What lets us collect your information?

If we work with you we will be acting under some, or all, of the legislation noted below:

- Adult Support and Protection (Scotland) Act 2007
- Adult with Incapacity (Scotland) Act 2000

What kinds of personal data do we collect?

The personal data we collect might include your **name, date of birth, address, National Insurance Number, or other information that identifies you**. If necessary, we might also collect what is called 'special category' data – that is, sensitive information such as medical/health information.

How do we collect your personal data?

We collect your personal data in many different ways. You might give us your personal data yourself, by entering your information in a form on the Council website or by contacting a Council Officer in person, in writing or over the phone. We might also receive your personal data from other agencies or local authorities. If we share information regularly with another organisation, the conditions for sharing your personal data are set out in an Information Sharing Agreement.

How do we use your personal data?

The Adult Support and Protection (Scotland) Act 2007 was introduced to identify and protect individuals who fall into the category of adults at risk.

The Adult Support and Protection (Scotland) Act 2007:

- Requires councils to make the necessary enquiries and investigations to see if action is needed to stop or prevent harm happening.

- Requires specific organisations to co-operate with councils and each other about adult protection investigations.

This means that if Midlothian Council has reason to believe that an adult is at risk of harm we have a legal duty to carry out an inquiry to establish whether an adult is at risk. If further information is required, we will hold an investigation and in some situations, a case conference will be held to decide how to protect the adult from harm.

In order to carry out these duties we need to gather information from other agencies such as Health and Police and we will also share information with these agencies as required. The adult themselves and if appropriate an advocate who understands their views will be involved in this process throughout.

Why do we share your personal data?

We have a legal duty as a local authority to gather and share information to protect adults who may be at risk of harm. The views of the adult at risk and their representative will be taken into account during this process.

With whom do we share your personal data?

If necessary, we might share your personal data with other agencies and authorities, depending on the service being provided. We will only share your personal data if it is necessary to do so, and the appropriate conditions have been met.

The external bodies with whom we share Adult Support and Protection information might include (organisations with a star are mandatory):

- | | |
|-------------------------|-----------------------------|
| • NHS Lothian * | • Substance Misuse services |
| • Police Scotland * | • Mental Health services |
| • Care homes | • Women's Aid |
| • Care at home services | • Scottish Fire and Rescue |
| • Day centres | |

Personal data also might be shared between Midlothian Council services, including Environmental Health and Community Safety.

How long do we keep your personal data?

Your personal data is kept in line with Midlothian Council's Retention Schedule. The retention schedule sets out the kinds of information the Council creates and uses, how long it should be kept, and what should be done with it at the end of its 'life'. To access our retention schedule please click on the link below:

https://www.midlothian.gov.uk/downloads/file/1632/business_classification_schemeretention_schedule

Further Information

You can find out more about how we use your information to detect and prevent fraud or crime, information collected through our website, recorded telephone calls, CCTV, the rights you have under the Data Protection Act, and how to contact us by referring to the overarching Midlothian Privacy Notice at www.midlothian.gov.uk/privacy