

How your personal Information is used by Criminal Justice Social Work

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 Criminal Justice social work 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 privacy notice can be found at 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:

- Criminal Justice and Licensing (Scotland) Act 2010
- Social Work (Scotland) Act 1968
- Criminal Justice (Scotland) Act 2003
- Criminal Proceedings (Scotland) Act 1993
- General Data Protection Regulation

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. We will also collect information about your previous convictions and the previous sentences made by the Court.

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 (such as the Courts and Scottish Prison Service) 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?

We use your personal data to provide the Courts with Criminal Justice Social Work Reports. We also use your data to supervise orders made by the Court, such as Community Payback orders, and post-release licences such as Parole. While people are in prison, we provide reports for the parole Board and the Scottish Prison Service.

Why do we share your personal data?

We have a legal responsibility to carry out the work we do in relation to Court reports, Community Payback Orders, Fiscal Work Orders and post-release licences. We share information to reduce the risk of reoffending and to help protect the public. We offer people who have been involved in offending support to lead positive, law-abiding lifestyles.

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 Criminal Justice Social Work information might include (organisations with a star are mandatory):

- The Scottish Courts Service *
- The Scottish Judiciary *
- The Scottish Prison Service *
- The Parole Board in Scotland *
- Police Scotland *
- NHS staff *
- Other local authorities in the event of transfers in or out of Midlothian *
- Organisations that offer support to people who may have been involved on offending behaviour.

Please note that in relation to some of the above organisations, such as Police Scotland, information would only be shared to prevent or reduce a significant risk of harm to others. Personal data might also be shared between Midlothian Council services, including Schools.

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