

How your personal Information is used by Adult Social Care – Community Care services

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 Social Care – Community Care 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.](#)

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:

- Adults With Incapacity (Scotland) Act 2000
- Adult Support and Protection (Scotland) Act 2007
- Mental Health (Care and Treatment) (Scotland) Act 2003
- Social Care (Self-directed Support) (Scotland) Act 2013
- Social Work (Scotland) Act 1968
- Immigration and Asylum Act 1999
- Carers (Scotland) Act 2016

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. Photographs may be taken, with your consent, as part of your assessment and to support the delivery of your care. 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?

Your personal data may be used so that Health and Social Care Services can deliver its main functions. These functions include providing services for adults aged 16+ in the following categories:

- Care and support for adults with disabilities
- Occupational therapy services
- Substance misuse and addiction services
- Adult support and protection
- Mental health services
- Homecare services
- Care and support for older people
- Residential and extra care housing
- Day services
- Support for carers
- Information and advice services

Personal information will be used:

- To assess whether you are eligible for care and support services
- For planning and provision of care and support services
- For providing information and advice
- Used to determine charges (financial information)

In order to carry out these duties we need to gather information from other agencies such as Health or organisations providing care and support services 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 might share your personal data in order to effectively deliver our services. This might be because we require information from other services to assess whether you are eligible for a service, another agency has been contracted to provide a service, or because responsibility for particular services is shared across multiple agencies or authorities, such health services as part of the Integrated Joint Board/Health and Social Care Partnership.

In some circumstances 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 may share information might include:

- NHS Lothian
- Care homes
- Care at home services
- Day centres
- Information and advice services
- Advocacy services
- Substance Misuse services
- Mental Health services
- Police Scotland
- Scottish Fire and Rescue

Personal data also might be shared between Midlothian Council services, including Housing and 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'.

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](#).