



PRIVACY NOTICE – Scottish Welfare Fund

How we use your information

Whenever you, or someone on your behalf, make an application to the Scottish Welfare Fund the Council needs to use your personal data for a number of reasons, including:

- To verify your identity and any supporting evidence provided in connection with your application.
- To process your application and notify you of the decision we make.
- To notify any relevant third parties about the decisions we make when you have asked us to contact them on your behalf and/or where we are required to do so by law.
- If the application is successful, to ensure that cash, cash equivalent, or specific goods are awarded to the correct individual.
- To help you access other Support Services.
- To ensure that the Council is compliant with the Welfare Funds (Scotland) Act 2015 and the Welfare Funds (Scotland) Regulations 2016.

The Council is committed to being transparent about how it collects and uses the data, in meeting our data protection obligations.

If you do not provide us with your personal information the Council will be unable to accurately assess your application, make an award from the Scottish Welfare Fund and will be unable to meet its legal obligations.

Information provided by third parties

To accurately assess your application for assistance from the Scottish Welfare Fund, the information provided in your application may be verified by third parties. Third parties may include, Support Services, Charities, Professional Health Services and Prison Support Workers.

Where an application or referral to the Scottish Welfare Fund has been made on your behalf, the information provided in the application is verified using personal information collected by third party organisations. These third parties may include Support Services, Charities, Professional Health Services, Prison Support Worker and the Department for Work and Pensions.

The data verified may include your name, address, contact details, household composition, household income and expenditure details, details of relevant circumstances, health information and details of support being provided to you.

Our legal basis

Whenever the Council processes personal data we need to make sure we have a legal basis for doing so. We understand our basis in data protection law to be Article 6(1)(e) of the General Data

Protection Regulation (GDPR) because processing your personal information is necessary for us to carry out our legal duty as a local authority to provide a welfare service.

In cases where you have requested or agreed that a referral for assistance from a third party (such as Charities, Support Organisations, Professional Health Services and Prison Support Workers) should be made by us on your behalf, we will share your personal details with that third party. In this case we understand our legal basis for doing so to be Article 6(1)(a) of the GDPR as you have given consent to the processing.

In the case of processing special category data the Council understands our legal basis for doing so as Article 9(2)(b) of the GDPR as processing is necessary for carrying out our obligations in the field of social security. See below for more information on special category data.

Processing special categories of data

Personal data that counts as 'special category data' such as health, ethnicity and religion, must satisfy extra conditions when processed.

Where relevant to your application for assistance from the Scottish Welfare Fund, it may be necessary for us to gather data about your health, racial or ethnic origin, religious or philosophical beliefs or data relating to criminal convictions and offences. The information is only processed if relevant to determining an award and where required for statistical reporting requirements of Scottish Government.

Who we share your information with

In the case of Scottish Welfare Fund applications, your information may be shared with the following third parties:

- Other Services within Moray Council such as, Housing Department, Income Maximisation Team, Money Advice Team or Social Work Department where necessary, and to assist you in accessing other available support.
- Charities, Support Organisations, Professional Health Services and Prison Support Workers where you have requested or agreed that a referral for assistance should be made by us on your behalf.
- Scottish Government.
- In the case that the application results in the awarding of specific goods and services, CF Furniture and Flooring or any other contractor appointed by the Council for this purpose.
- In the case that the application results in a cash or cash equivalent award, information may be shared with PayPoint or any other service provider appointed by the Council for this purpose.
- If you move to a different local authority area, details about your application and application history may be shared with that local authority where necessary to comply with Scottish Government statutory guidance.
- In order to comply with the legal Second Tier Independent Review process, a copy of all information held in connection with your application to the Scottish Welfare Fund will be sent to the Scottish Public Services Ombudsman when requested.

Your personal data may be shared internally with authorised officers of the Council if having access to personal data is a necessary part of their roles to ensure records are accurate and up to date which improves the standard of the services we deliver. It may also be shared with other relevant Council departments where applicable.

The Council may also share your personal data with other relevant Council departments and third parties, where we are under a legal obligation to do so. For example this may be with Police, Department for Work and Pensions, UK Border Agency or Registered Professional Bodies.

The Council is required by law to protect public funds against fraud. It may share personal data with other relevant Council departments and third parties responsible for auditing and administering public funds, or who otherwise have responsibility for preventing and detecting fraud.

How long the information is held for

Your personal data will be held by Moray Council for a pre-determined length of time. You can find all the information about how long we retain personal data for on our website:

http://www.moray.gov.uk/moray_standard/page_92820.html (found on the Moray Council website under Section 5 of the Records Management Plan)

Your rights

Moray Council is the Data Controller for this personal data. You have legal rights about the way the Council handles and uses your personal data. These include the right to ask for a copy of it, to ask us to correct and to ask us to stop doing something with your personal data. For more information about these rights please contact the Council's Data Protection Officer at info@moray.gov.uk or 01343 562633.

As so far as the legislation permits, you also have the right to request the deletion of your data and to object to the processing.

You also have the right to make a complaint to the Information Commissioner's Office. They are the body responsible for making sure organisations like the Council handle your data lawfully.

Information Commissioner's Office

Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Telephone: 0303 123 1113

Email: casework@ico.gov.uk

Website: www.ico.org.uk