



## **PRIVACY NOTICE**

### **Social Care – Moray Telecare Services**

#### **Who we are**

Moray Council, Council Office, High Street, Elgin, Moray, IV30 1BX, [moray.gov.uk](http://moray.gov.uk) 01343 543451, is a Local Authority established under the Local Government etc. (Scotland) Act 1994. We are the Data Controller of the personal data being collected. Health and Social Care Moray is the Partnership between Moray Council and NHS Grampian to deliver health and social care services for Moray.

#### **Why we are collecting your personal data**

Personal data including your name, address, date of birth, gender, marital status, phone number, health information, and, information about your housing situation is collected so that we can assess your suitability for and deliver, where agreed, Telecare Services. When this service is paid for then bank details are also collected and processed.

We will also use your personal data to maintain our records, and, to verify your identity where required, to contact you by phone, post or email.

#### **Personal data you give us about other people**

If you have provided someone else's personal data for a specific purpose, for example to contact them in the event of an emergency, if reasonable to do so then please make sure that you have told them that you have given their personal data to Moray Council for this purpose. Typically this will be a name and contact details (including telephone number) and their relationship to you. We will only use this information for this specific purpose.

#### **Our legal basis**

Whenever the Council processes personal data we need to make sure we have a legal basis for doing so. We understand the Council's legal basis in data protection law to be Article 6(1)(e) of the United Kingdom General Data Protection Regulation (UK GDPR), because your personal data is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Council and the task or function has a clear basis in law – in this case the Social Work (Scotland) Act 1968. Delivering Social Care services is part of our public task. The Council maintains and monitors Telecare Services in fulfilment of our duties under the 1968 Act.

Personal data that counts as 'special category data', such as health, ethnicity and religion, must satisfy extra conditions when processed. We understand our legal basis in data protection law for processing this special category data to be Article 9(2)(h) of the UK General Data Protection Regulation, as the processing is necessary for the provision of health or social care or treatment or the management of health or social care systems and services.

#### **Who we share this personal data with**

Your personal data is shared with Aberdeen City Council's Regional Communication Centre (Alarm Receiving Centre (ARC)) who the Council contract to provide call services on the Council's behalf. Your data will be used by the ARC so that they can manage alarm alerts and responses. We make sure that they process your personal data appropriately through our contractual arrangements with them.

Under the Public Bodies (Joint Working) (Scotland) Act 2014, Local Authorities and Health Boards are required to work together to integrate health and social care services. As we work together with NHS Grampian to deliver integrated services through Health and Social Care Moray, your data may be shared with NHS Grampian. This Partnership is overseen by the Moray Integration Joint Board.

In order to allow NHS Grampian to potentially provide assistance following a fall(s), we may share personal data, including: your name, address, contact details, information about any falls and alarm activations (including quantity and dates) with them. We have a Data Sharing Agreement in place with NHS Grampian for this data sharing.

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. It may also be shared with other relevant Council departments where applicable.

The Council may share this 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, Social Security Scotland, UK Border Agency or other 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 securely stored by Moray Council for a pre-determined length of time. Information is only kept for the minimum amount of time necessary. We maintain a record retention schedule which sets out how long we retain different types of personal data. This is available on our website: [http://www.moray.gov.uk/moray\\_standard/page\\_92820.html](http://www.moray.gov.uk/moray_standard/page_92820.html) (under Section 5 of the Records Management Plan).

The Council stores information within the UK.

## **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 it and to ask us to stop doing something with your personal data. 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.

For more information about these rights, please see the Information Management pages on the Council's website here: [http://www.moray.gov.uk/moray\\_standard/page\\_41220.html](http://www.moray.gov.uk/moray_standard/page_41220.html). Alternatively, email the Council's Data Protection Officer at: [IG@Moray.gov.uk](mailto:IG@Moray.gov.uk)

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 personal data lawfully.

### Information Commissioner's Office

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

Telephone: 0303 123 1113 Website: <https://ico.org.uk/>