

## **PRIVACY NOTICE: Resilience**

Scottish Borders Council is a local authority established under the Local Government etc. (Scotland) Act 1994. Our head office is located at Newtown St Boswells, Melrose TD6 0SA. You can contact us on 0300 100 1800 or [CustomerAdvice@scotborders.gov.uk](mailto:CustomerAdvice@scotborders.gov.uk)

### **Why do we collect this information?**

The information is being collected for the following purposes:

1. To identify the most medically vulnerable individuals within our communities i.e. persons who may require additional support during a major incident or disruptive situation and are less able to help themselves and to allow pre planning for the purpose of emergency planning and response.
2. Planning for incidents by producing and supporting the implementation of business continuity plans, and testing them in training and exercises.
3. In the event of an emergency incident, to provide an emergency response to vulnerable individuals.

We have legal grounds to process information because it is necessary to comply with a legal duty or to fulfil a public task, under the:

- Civil Contingencies Act 2004
- Control of Major Accident Hazards Regulations 2015
- The Local Government in Scotland Act 2003

Scottish Borders Council and NHS Borders work closely together to enable early identification of those who are likely to need additional support in the event of an emergency incident.

### **What information do we collect about you?**

Our emergency planning team collects name, address, telephone contact number and age of adults with a mobility impairment, requiring home medical support, reliance on powered medical equipment, with cognitive impairment and/or sensory impairment.

### **Where do we collect information from?**

The information we hold includes information you have provided to us. We collect information from Scottish Borders Council's Adult Social Work Services and from NHS Borders which is amalgamated into a single database.

We collate key holder information to ensure we can gain access to support centres at the time of an incident. This information is provided by the key holder and is not shared unless at the time of an incident to relevant persons.

### **Who might we share your information with?**

In the event of an incident, we will share information with:

- Category 1 and 2 organisations under the Civil Contingencies Act 2004 - Category 1 (Local authorities, Police Scotland, Scottish Fire and Rescue Service, Scottish Ambulance Service, NHS Boards, HM Coastguard, Scottish Environmental and Protection Agency)
- Category 2 (Utility companies, Network Rail, Highways Agencies, Airport operators, Harbour Authorities, Health and Safety Executive, Voluntary Agencies).

Information will not be shared with these organisations until the time of an incident where the legal sharing is permitted under the Civil Contingencies Act 2004. We share this information without your specific consent as it is reasonable and necessary to do so to fulfil our public task, or it is otherwise in the substantial public interest to do so.

An Information Sharing Protocol is in place between Scottish Borders Council and NHS Borders to enable the sharing of information the purpose of pre planning and early identification to the most vulnerable i.e. individuals who are less able to help themselves. This is held in a secure database, which is refreshed regularly with up-to-date information from the Council's Adult Social Work Services and NHS Borders.

The Council has a duty to protect public funds. We may check your information within the Council for verification purposes and/or for the prevention of fraud. We may share your information with other organisations, or different council departments, where we are required to do so for the purposes of the prevention or detection of crime.

### Will we send your information out with the UK?

In general the Council does not transfer personal data outside either the UK or the European Economic Area (EEA) and on the rare occasions when it does so the Council will inform you. The Council will only transfer data outside the UK and the EEA when it is satisfied that the party which will handle the data and the country it is processing it in will provide adequate safeguards for personal privacy.

### How long do we keep hold of your information?

We keep your information as long as required by law or by our business requirements. The council may keep your data for 6 years in line with our responsibilities to provide social care. There may be a legal reason for us to keep it longer, such as if legislation requires us to.

### What are my rights?

You have the right to request access to any personal data held about you by the Council. You can also request that we restrict the use of your information or even object to any further processing. You can do this by contacting the Data Protection Officer by using the contact details or by email to [dataprotection@scotborders.gov.uk](mailto:dataprotection@scotborders.gov.uk). We will respond to your request within thirty calendar days.

For more information on your rights please visit our website <http://www.scotborders.gov.uk/DPYourRights> or if you would like a hard copy of this information, please contact us using the contact details provided above.

### Do I have a right to complain about the way information has been used?

We aim to directly resolve all complaints about how we handle personal information. If your complaint is about how we have handled your personal information, you can contact the Council's Data Protection Officer by email at [dataprotection@scotborders.gov.uk](mailto:dataprotection@scotborders.gov.uk) or by telephone on 0300 100 1800.

However, you also have the right to lodge a complaint about data protection matters with the Information Commissioner's Office (ICO), who can be contacted by post at: Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

You can contact the ICO by phone on 0303 123 1113 or visit their website for more information at- <https://ico.org.uk/concerns>

If your complaint is not about a data protection matter you can find details on how to make a complaint on our website at <http://www.scotborders.gov.uk/complaints>