



PRIVACY NOTICE

Health and Wellbeing Census

How we use your information

We are asking you to undertake a survey about the health and wellbeing of children and young people educated in our schools. This survey is to gather views of children and young people about mental health and wellbeing supports, in order to improve the health and wellbeing of children and young people in Moray. This information is being collected:

- To plan and deliver better policies for the benefit of all pupils, or specific groups.
- For statistical and research purposes.
- To improve and develop education services and the supports in place for health and wellbeing.
- To meet the Council's obligations under the Local Government in Scotland Act 2003 under which we have a power to promote or improve the wellbeing of the Moray area and/or persons within that area.
- To meet the Council's obligations under the Children and Young People (Scotland) Act 2014 regarding preparing a Children's Services Plan. This aims to ensure children's services in Moray provides the best safeguards, supports, and, promotes the wellbeing of children.

The information will be collected from you using SmartSurvey, which is a UK based provider of digital survey solutions. The survey is voluntary, you do not have to complete the survey or provide information to us. You can also decide that you no longer wish to complete the survey after you have started. Progress through the survey is automatically saved after each page, therefore responses provided will be saved and submitted on your behalf, even if you do not complete the survey.

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 basis in data protection law to be Article 6(1)(e) of the United Kingdom General Data Protection Regulation (UK GDPR) because your personal information is necessary to the performance of a task carried out in the public interest or in the exercise of official authority vested in the Council.

In carrying out this function the Council is also likely to process special categories of personal data, for example health information. Personal data that counts as 'special category data', such as health, ethnicity and religion, must satisfy extra conditions when processed. We understand that our legal basis in data protection law for processing this special category data to be Article 9(2)(g) of the UK GDPR, with reference to Schedule 1, Part 2, 6(2)(a) of the Data Protection Act 2018, which permits the processing of special category data when processing is necessary for reasons of substantial public interest and the purposes of processing is in the exercise of a function conferred on a person by an enactment or a rule of law - the Children and Young People (Scotland) Act 2014.

Who we share your information with

This 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 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, 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.

The survey asks for your Scottish Candidate Number (SCN) to link survey information to other information held on your pupil record. This linked data and your responses will be shared with the Scottish Government for analytical, statistical and research purposes. The Scottish Government may also allow third parties, such as charities or researchers, access to your data.

Responses will be used in reports about the survey, however, individuals will not be identifiable if the Council or the Scottish Government publish any results based on survey responses.

For more information on how the Scottish Government will use this information, please see the Scottish Government's privacy notice - [Health and Wellbeing Census - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/privacy-notice/pages/health-and-wellbeing-census.aspx).

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 it 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 dataprotection@moray.gov.uk

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 personal 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