

## Privacy Notice (GDPR) – Risk and Concern Project

### Who we are:

The Police Service of Scotland is a constabulary established under the Police and Fire Reform (Scotland) Act 2012. Its headquarters is located at Tulliallan Castle, Kincardine, FK10 4BE, United Kingdom, and you can contact our Data Protection Officer by post at this address, by email at: [dataprotection@scotland.pnn.police.uk](mailto:dataprotection@scotland.pnn.police.uk), and by telephone on 101.

### About this notice:

This notice is to advise you of how your personal information will be dealt with (processed) by Police Scotland and your rights in relation to the processing. This notice covers information processed for any non-crime purpose.

The Chief Constable of the Police Service of Scotland is the controller of your personal information and is the authority that decides the purposes for which your personal information will be processed. Police Scotland can be contacted by telephoning 101.

The tables below provide you with details of:

- why we process your personal information;
- what our legal basis is for having it;
- whether you have a legal duty to provide it to us and;
- what will happen if you decide not to provide it;
- the length of time we will keep your information;
- who we will share it with;
- the categories of your information we hold (if we have obtained the information from someone other than you) i.e.
  - personal data (see guidance sheet) or
  - special categories of personal data (see guidance sheet)

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**Purpose and Basis for Processing**

Purpose of Processing	Legal Basis for Processing	Categories of Individuals	Categories of personal Data	Legal Requirement to Provide Information	Consequences of Failing to Provide Information
<p><b>Concern Reports on the interim Vulnerable Persons Database relating to Children and Adults</b></p> <p>Research, assessment and sharing of relevant information to partners.</p>	<p>The legal bases for processing under Article 6 and 9 will vary depending on the individual circumstances of each concern report, however the likely legal bases are listed by concern type below:</p> <p><b>Sharing with Statutory Partners:</b></p> <p><b>Adults at Risk</b> – Legal Obligation / Provision of health or social care</p> <p><b>Adult Protection</b> – Vital Interests or Public Task / Substantial Public Interest or Provision of health or social care</p> <p><b>Adult Wellbeing</b> – Public Task / Substantial Public Interest or Provision of health or social care</p> <p><b>Child Protection</b> – Vital Interests or Public Task / Substantial Public Interest or Provision of health or social care</p> <p><b>Child Wellbeing</b> – Public Task / Substantial Public Interest or Provision of health or social care</p> <p><b>Sharing with Third Sector Organisations:</b></p> <p>All Adult and Child Concerns under all categories – Consent / Explicit Consent</p>	<p>Members of the Public</p>	<p><b>Personal Information:</b></p> <p>Names, Date of Birth Address, Postcode Phone / email / communications details</p> <p><b>Special categories of personal information:</b></p> <p>Race / Ethnic origin Political, religious or philosophical beliefs Mental and Physical health data Sex life and / or Sexual orientation Alleged or actual offending data</p>	<p>No legal requirement for data subject to provide data.</p>	<p>Police Scotland may not be able to take appropriate action to enable relevant support due to lack of knowledge.</p>

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Purpose of Processing	Legal Basis for Processing	Categories of Individuals	Categories of Personal Data	Legal Requirement to Provide Information	Consequences of Failing to Provide Information
<p><b>Child and Adult Multi-agency Meetings</b></p> <p>These meetings differ across Local Authority areas.</p>	<p>The legal bases for processing under Article 6 and 9 will vary depending on the individual circumstances of each meeting and what is being discussed, however the likely legal bases are listed by concern type below:</p> <p><b>Sharing with Statutory Partners:</b></p> <p><b>Adults at Risk</b> – Legal Obligation / Provision of health or social care</p> <p><b>Adult Protection</b> – Vital Interests or Public Task / Substantial Public Interest or Provision of health or social care</p> <p><b>Adult Wellbeing</b> – Public Task / Substantial Public Interest or Provision of health or social care</p> <p><b>Child Protection</b> – Vital Interests or Public Task / Substantial Public Interest or Provision of health or social care</p> <p><b>Child Wellbeing</b> – Public Task / Substantial Public Interest or Provision of health or social care</p>	<p>Members of the Public</p>	<p><b>Personal information:</b></p> <p>Names, Date of Birth Address, Postcode Phone / email / communications details</p> <p><b>Special categories of personal information:</b></p> <p>Race / Ethnic origin Political, religious or philosophical beliefs Mental and Physical health data Sex life and / or Sexual orientation Alleged or actual offending data</p>	<p>No legal requirement for data subject to provide data.</p>	<p>Police Scotland may not be able to take appropriate action to enable relevant support due to lack of knowledge.</p>
<p><b>Sex Offender Community Disclosure</b></p> <p>(Keeping Children Safe Scheme)</p>	<p><b>Sharing with Statutory Partners:</b></p> <p>Public task / Substantial Public Interest</p>	<p>Members of the Public</p>	<p><b>Personal information:</b></p> <p>Names</p> <p><b>Special categories of personal information:</b></p> <p>Offending information</p>	<p>No legal requirement for subjects (applicants) to provide data.</p>	<p>Potential support / safeguarding for victims may not be provided</p>

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Purpose of Processing	Legal Basis for Processing	Categories of Individuals	Categories of Personal Data	Legal requirement to provide information	Consequences of Failing to Provide Information
<p><b>Partner Agency Information Requests:</b></p> <p>The most common circumstances are:</p> <ul style="list-style-type: none"> <li>• child protection investigation</li> <li>• adult protection investigation</li> <li>• suitability checks for emergency placements</li> </ul>	<p>The legal bases for processing under Article 6 and 9 will vary depending on the individual circumstances of each request and what is being requested, however the likely legal bases are listed by concern type below:</p> <p><b>Sharing with Statutory Partners:</b></p> <p><b>Adult Protection</b> – Vital Interests or Public Task / Substantial Public Interest or Provision of health or social care</p> <p><b>Child Protection</b> – Vital Interests or Public Task / Substantial Public Interest or Provision of health or social care</p>	<p>Members of the Public</p>	<p><b>Personal information:</b></p> <p>Names, Date of Birth Address, Postcode Phone / email / communications details</p> <p><b>Special categories of personal information:</b></p> <p>Race / Ethnic origin Political, religious or philosophical beliefs Mental and Physical health data Sex life and / or Sexual orientation Alleged or actual offending data</p>	<p>No legal requirement for data subject to provide data.</p>	<p>Police Scotland may not be able to take appropriate action to enable relevant support due to lack of knowledge.</p>
<p><b>Disclosure Scheme for Domestic Abuse Scotland (DSDAS)</b></p>	<p><b>Sharing with Statutory Partners:</b> Public task / Substantial Public Interest</p>	<p>Members of the Public</p>	<p><b>Personal information:</b></p> <p>Names, Date of Birth Address, Postcode Phone / email / communications details</p> <p><b>Special categories of personal information:</b></p> <p>Race / Ethnic origin Political, religious or philosophical beliefs Mental and Physical health data Sex life and / or Sexual orientation Alleged or actual offending data</p>	<p>No legal requirement for data subject (applicants) to provide data.</p>	<p>The scheme aims to enable potential victims to make an informed choice on whether to continue the relationship, and provides further help and support to assist the potential victim when making that informed choice.</p>

## Keeping and Sharing Your Information

In this section, we explain how long we keep (retain) your information and who we might share it with.

Category of Information	Length of Storage Period (reference to relevant section of <a href="#">Record Retention SOP</a> )	International Sharing	Recipients of Personal Information (details of organisations we pass personal information to)
Personal Data – Concern reports	Scotland iVPD Weeding and Retention Policy	No	Local authority health and social care NHS Scotland Education Scottish Children’s Reporter Administration (SCRA) Scottish Fire and Rescue Service (SFRS)  3 <sup>rd</sup> Sector Organisations: (including but not limited to): ASSIST; Scottish Woman’s Aid; EDDACS Barnardo’s; Veteran support; Penumbra; SAMH
Personal Data – Multi-agency Meetings	Police Scotland Record Retention SOP Section 5.1.19	No	Local authority health and social care NHS Scotland Education Scottish Children’s Reporter Administration (SCRA)
Personal Data – External agency information requests	Police Scotland Record Retention SOP Section 5.1.19	No	Local authority health and social care NHS Scotland Education Scottish Children’s Reporter Administration (SCRA) Scottish Fire and Rescue Service (SFRS)
Personal Data – Disclosure Scheme for Domestic Abuse Scotland (DSDAS)	Police Scotland Record Retention SOP Section 5.1.19	No	Local authority health and social care NHS Scotland Education Domestic abuse advocacy services Members of the public
Personal Data – Sex offender community disclosure	Police Scotland Record Retention SOP Section 20	Yes	Parent or guardian of children for whom there is a risk of harm

## **Your Rights:**

You have certain rights in relation to how we process your personal information. These are listed below.

**1. Right of access – this is called making a subject access request.**

This means that you are entitled to, amongst other things, a copy of the information we hold on you, although there are exceptions to this. For further information and details on how to make a subject access request please click [here](#) or visit the Police Scotland Website at <http://www.scotland.police.uk/access-to-information/data-protection/subject-access-requests>

**2. Right to rectification.**

We must correct without delay, any personal information we hold on you which is not accurate. If you think anything is wrong, you should contact us by post or e mail. There are exceptions to when we have to correct the information, and you will be advised if we have to apply them. If it is not possible to establish the accuracy of the personal information, we will restrict how we process it, for example restrict who can see your information, or who we disclose it to.

**3. Right to erasure, restriction of processing or right to object.**

You have a right to request that we delete your personal information, but this will only be done when we are legally required to do so. On occasion it may be more appropriate to restrict how we process it, for example restrict who can see your information, or who we disclose it to.

You also have the right to object to the processing we carry out, if our legal basis for doing so, (as detailed above), is for carrying out a task in the public interest, exercising our lawful duty or we believe it is in our legitimate interests. Further information can be obtained from: [Information.Assurance@scotland.pnn.police.uk](mailto:Information.Assurance@scotland.pnn.police.uk)

If we refuse to carry out your requests in full under paragraphs 1, 2 or 3 above, you have the right to ask the Information Commissioner to check whether our decision is correct.

If you are unhappy in any way with how we have dealt with your information, you have the right to complain to the Information Commissioner.

The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Tel: 0303 123 1113 (local rate)

[www.ico.org.uk](http://www.ico.org.uk)