

Shetland Islands Council

Health and Wellbeing Census Data Protection Privacy Statement

The Health and Wellbeing Census asks children and young people directly about their own health and wellbeing, through a secure online survey platform. The Health and Wellbeing Census will help us to know what the needs are of our children and young people, and how we can improve the quality and availability of services we provide.

Who we are?

Shetland Islands Council is a local authority established under the Local Government etc. (Scotland) Act 1994. Its office headquarters is located at 8 North Ness Business Park, Lerwick, Shetland, ZE1 0LZ, United Kingdom.

You can contact our Data Protection Officer by post at this address, by e-mail at: dataprotection@shetland.gov.uk and by telephone on (01595) 744 550.

The Data Protection Officer for Shetland Islands Council is the Executive Manager – Governance and Law.

Why do we need your personal information and what do we do with it?

You are giving us your personal information to allow us to find out about the health and wellbeing of young people in Shetland and what they think about the services they use. The Health and Wellbeing survey asks for your Scottish Candidate Number (SCN) so that survey data can be linked to other information held about you on your pupil record. The information collected in the survey will allow Shetland Islands Council to help plan and improve services for children and families.

Your personal information will be collected using Smart Survey which is a UK based provider of digital survey solutions. Smart Survey are compliant with current data protection legislation and host their data in the UK. Further information can be found here <https://www.smartsurvey.co.uk/gdpr>

Your progress is automatically saved after each page when completing the survey. This means that responses provided will be saved and submitted on your behalf, even if the survey was not completed. The surveys are not mandatory, so you can refuse to participate if you wish.

Legal basis for using your information

We provide these services to you as part of our statutory function as your local authority. You can find more details of our role on our website at <http://www.shetland.gov.uk/information-rights/DataProtection.asp>. Processing your personal information is necessary for the performance of a task carried out in the public interest by the council.

We also need to process more sensitive personal information about you for reasons of substantial public interest as set out in the Data Protection Act 2018. It is necessary for us to process it to carry out key functions as set out in law.

What personal data we hold, and how we obtain it?

The data collected and processed by Shetland Islands Council will be on the views of children and young people being educated in Shetland's schools in relation to their own health and wellbeing.

All personal data is held within a secure information management system.

The information from children and young people completing the census is

- Child / Young Person's Scottish Candidate Number
- Child / Young Person's school identifier
- Child / Young Person's attitude to school
- Child / Young Person's perception of achievement
- Child / Young Person's pressure of school work
- Child / Young Person's physical activity/exercise
- Child / Young Person's eating behaviours
- Child / Young Person's general health
- Child / Young Person's general wellbeing (life satisfaction)
- Child / Young Person's mental wellbeing
- Child / Young Person's physical or mental health condition
- Child / Young Person's sleep pattern
- Child / Young Person's feeling of discrimination
- Child / Young Person's relationship with peers
- Child / Young Person's self-perception (body image)
- Child / Young Person's social media and online experience
- Child / Young Person's relationships with family / environment
- Child / Young Person's relationships with parents/carers
- Child / Young Person's resilience
- Child / Young Person's involvement in decision making
- Child / Young Person's use of alcohol (S2 pupils upwards)
- Child / young Person's use of tobacco (S2 pupils upwards)
- Child / Young Person's use of drugs (S4 pupils upwards)
- Child / Young Person's involvement in positive activities
- Child / Young Person's caring responsibilities
- Child / Young Person's experience of bullying
- Child / Young Person's aspirations and career planning
- Child / Young Person's relationships and sexual health (S4 pupils upwards)
- Child / Young Person's sedentary behaviour
- Child / Young Person's places to play

Who do we share your information with?

Your information is analysed internally to help us improve our services. This data sharing is in accordance with our Information Use and Privacy Policy and covered in our full privacy statement on our website. It also forms part of our requirements in line with our Records Management Plan approved in terms of the Public Records (Scotland) Act 2011.

The survey data will also be shared between Shetland Islands Council and the Scottish Government for statistical analysis and research purposes. They will use it to plan and deliver better policies for the benefit of all pupils, or specific groups. They will also use this information to publish statistical publications and tables about school education in Scotland. Shetland Islands Council will share your SCN with the Scottish Government but no other information that will identify you (such as your name or contact details) will be shared with the Scottish Government. The Scottish Government will use the SCN to link the survey responses to other data they hold on pupils. However, they cannot identify individual pupils from this data as they do not hold data on pupils' names or contact details.

The Scottish Government in turn may allow third party organisations, such as researchers or charities, access to this information. Any sharing or linkage of data about your child/children will be done under the strict control of Scottish Government and will not make individual pupils identifiable.

More information on how the Scottish Government will use this information as well as the details of their own Privacy Statements can be found on their website [Health and Wellbeing Census - gov.scot \(www.gov.scot\)](http://www.gov.scot/HealthandWellbeingCensus)

Will we send your information outwith the UK?

No, this information will not be shared outwith the UK.

How long do we keep your information for?

We only keep your personal information for the minimum amount of time necessary. Sometimes this time period is set out in the law, but in most cases it is based on the business need. We maintain a records retention and disposal schedule which sets out how long we hold different types of information for. You can view this on our website at <http://www.shetland.gov.uk/information-rights/InformationManagement.asp> or you can request a hard copy from the address above.

In this instance however, the personal data we hold about your health and wellbeing will be stored for longer periods as the data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes and is subject to implementation of the appropriate technical and organisational measures required by current data protection legislation in order to safeguard the rights and freedoms of individuals.

Once the analysis of the survey data is complete, Shetland Islands Council will delete the SCN from the final dataset before it is stored. This will render the data held by the council completely anonymous.

It should be noted that the Scottish Government may retain the SCN with the survey responses for a longer period. Full details of this can be found in their privacy statement - <http://www.gov.scot/>

What are my individual rights?

Access to your information:

Pupils have the right to request a copy of the personal information that we hold about you. Once the SCN has been removed from the final dataset then you will no longer be able to request a copy of the survey responses you have submitted.

Parents/Carers are not able to request a copy of their child's survey responses. If your child takes part in the survey, they are providing information to the council in the expectation that it will be treated as confidential. The council will also be completely anonymising the data shortly after it is collected; once the data is anonymised, the council will be unable to identify the responses from any particular person and so cannot provide these responses even if asked by that person

Correcting your information:

We want to make sure that your personal information is accurate, complete and up to date. Therefore you may ask us to correct any personal information about you that you believe does not meet these standards.

Deletion of your information:

You may have the right to ask us to delete personal information about you where:

- you think that we no longer need to hold the information for the purposes for which it was originally obtained
- you have a genuine objection to our use of your personal information – see *Objecting to how we may use your information* below
- our use of your personal information is contrary to law or our other legal obligations.

It should be noted that the council will be completely anonymising the data shortly after it is collected; once the data is anonymised, the council will be unable to identify the responses from any particular person and so cannot delete these responses even if asked to do so by that person.

Objecting to how we may use your information:

You have the right at any time to tell us to stop using your personal information for direct marketing purposes. Shetland Islands Council will not use health and wellbeing survey responses in any way for direct marketing.

Restricting how we may use your information:

In some cases, you may ask us to restrict how we use your personal information. This right might apply, for example, where we are checking the accuracy of personal information that we hold about you or we are assessing the objection you have made to our use of your information.

This right might also apply if we no longer have a basis for using your personal information but you don't want us to delete the data. Where this right is realistically applied will mean that we may only use the relevant personal information with your consent, for legal claims or where there are other public interest grounds to do so.

Complaints

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 E-mail at dataprotection@shetland.gov.uk or by Phone on (01595) 744 550.

However, you also have the right to lodge a complaint with the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Phone: 0303 123 1113 (local rate) or 01625 545 745.

Visit their website for more information at- <https://ico.org.uk/concerns>

Please note if your complaint is not about a data protection matter or does not concern the handling of personal information, please contact us using the Council's Complaints Handling Procedure.