Oldham Council

Public Health Intelligence: Fair processing or Privacy Notice

Who are we?

On 1 April 2012, the Health and Social Care Act 2012 became a law. This led to a new approach in the delivery of public health services to improve the health of their populations. To deliver these services, the council now has a public health team and a Director of public health and are responsible for:

- Health protection of the population;
- NHS commissioners supported in receiving public health advice that they need;
- Appropriate access to sexual health services;
- National child measurement programme;
- NHS health check assessment.

To do these, public health intelligence team supports the public health team in accessing relevant datasets. Most of the datasets we use are already grouped or aggregated data (i.e information relating to groups of people rather than individuals). We also use pseudonymised datasets and identifiable data.

What is fair processing or privacy notice?

This notice is to inform you of the type of data that Oldham council public health intelligence holds, how the data is used and how we keep it secure.

Why do we collect and process your data?

To support planning and commissioning of public health services, we are allowed to use your data in line with Health and Social Care Act (2012) and Health regulations Act (2002).

As stated above, we mostly use aggregated or already grouped data which means that the data is anonymous and also that individuals cannot be identified from the data. These are data that are available publicly from Public Health England, Office for National Statistics and NHS Digital websites.

In some cases, we use data that are not already grouped, but where the identifying details of the data (NHS number, date of birth and address) have been removed or coded (as pseudonyms). These are data we obtain from Clinical Support Units (CSU) and Clinical Commissioning Groups (CCG). Examples are sexual health data, teenage conception data, health checks data etc.

Sometimes we do need to use identifiable datasets with personal details that could allow individuals to be identified. This personal data can include NHS number, date of birth, date of death, address, or postcode e.g births and deaths data that we obtain from NHS digital. Whenever we need to use
personal data we try to remove as much of the detail as possible that could identify an individual from the dataset. We will only use any identifiable data with your consent or when there is a legal requirement to do so and in accordance with the Data Protection Act 1998 which requires us to have a legal basis if we wish to process any personal information. We also have a responsibility to consider the NHS Constitution for England and the Common Law Duty of Confidentiality requirements before we can use your personal data. This means that where a legal basis does not exist to use your personal or confidential information, we will not do so.

The datasets that we have access to are not linked to any other data and our analysis are by aggregation. Some examples of reports that we use these aggregated analysis for are in the Annual Public Health report and the Joint Strategic Needs Assessment. Data presented in these reports help us to understand patterns of diseases and their outcomes on our residents. These would allow us to plan what we can do to improve our residents health and their quality of life.

**How do we keep your information?**

We keep your information stored securely and confidentially. Information is kept in secure locations and restricted access is ensured. In addition to this, we have obligations of confidentiality and also receive appropriate training on confidentiality of information. The council also has a senior person (the Caldicott Guardian) responsible for protecting the confidentiality of patient information. Information are not stored in any portable device (laptops or hand held devices).

**How long will we keep your information?**

We will approach the management of your information in line with the data protection act retention principles as outlined in the link:


**Opting out**

You have the right to opt out of public health intelligence Oldham council receiving or holding your personal identifiable information. There are occasions where service providers will have a legal duty to share information, for example for safeguarding or criminal issues and so the process for opting out will depend on the specific data and what programme it relates to. For further information, please contact the public health team at the address below.

**Contacts**

If you wish to find out more about your rights to view information held by the council, or wish to access, correct or complain about the personal information we hold about you, then please contact:

Information Manager, Oldham Council, Civic Centre, West Street, Oldham, OL1 1UG, Phone: 0161 770 4827, Fax: 0161 770 3701.
Email: information.manager@oldham.gov.uk

Public Health Intelligence, Oldham Council, Civic Centre, West Street, Oldham, OL1 1UG, Phone: 0161 770 3423.

For independent advice about data protection, privacy and data-sharing issues, you can contact the Information Commissioners Office (ICO):
Information Commissioner Office (ICO), Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
www.ico.org.uk

For more information on what the Data Protection Act means for the council, visit: Data protection | Oldham Council
Definitions

**Personal Data**

According to the Data Protection Act, 1998: “Personal data are data which relate to a living individual who can be identified from those data or from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller and includes any expression of opinion about the individual and any indication of the intentions of the data controller. This includes any other person in respect of the individual.”

**Data Controller**

A person who (either alone or jointly or in common with other persons) determines the purposes for which and the manner in which any personal data are, or are to be, processed.

**Anonymisation**

Anonymisation is the process of turning data into a form which does not identify individuals and where identification is not likely to take place. This allows for a much wider use of the information. Anonymised information, is not personal information.

**Pseudonymisation**

Pseudonymised data/information is anonymous to the people who hold or receive it (e.g. a research team), but contains information or codes that would allow others (e.g. those responsible for the individual's care) to identify an individual from it.

**Caldicott Guardian**

The Department of Health defines a Caldicott Guardian as “a senior person responsible for protecting the confidentiality of patient and service-user information and enabling appropriate information-sharing. The Guardian plays a key role in ensuring that the NHS, Councils with Social Services responsibilities and partner organisations satisfy the highest practicable standards for handling patient identifiable information”

This privacy notice was updated on the 6th of June, 2017. It has been written as a briefing on how we use and keep your data and therefore does not provide details of Oldham council’s public health intelligence collection and use of data, including personal information. Feel free to contact us if you would like additional information on our privacy notice. We can be contacted via any of the addresses provided above.