

Adult Social Care Privacy Notice



Oldham
Council

Date and version

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What this privacy notice is for

Our core data protection obligations and commitments are set out in the council's primary privacy notice at www.oldham.gov.uk/dataprotection

This notice provides additional privacy information for Adult Social Care and sets out the type of data we may hold on you, how the data is used and how we keep it secure.

The Health and Social Care Act (2012) has given local authorities the power to perform public health functions. As such the Council has "a duty to improve the health of the people and responsibility for commissioning appropriate public health services" and the statutory responsibilities for public health services as clearly set out in the Health and Social Care Act (2012).

This notice will also explain how we use and share your information. Information may be collected in many different ways including on paper, by telephone, electronically or by a member of staff in person.

Updating our privacy notices

We may update or revise our privacy notices at any time so please refer to the version published on our website for the most up to date details.

What we use your information for

We collect your personal information to provide the right kind of services for you. To do this we will collect details about your needs, support you already have in place and your financial circumstances.

This will help us

- Provide you with the information and advice you need
- Assess if you have eligible care needs
- Decide with you how best to meet your eligible needs
- Make sure your support is safe and effective
- Work with others who provide you with support to ensure you get the best possible service
- Make sure the care in place is meeting your needs
- Calculate how much you can afford to pay towards your care services
- Help investigate any worries or complaints you have about your care
- Commission appropriate services to meet needs
- Keep track of spending on care services
- Review the quality of care
- Research and plan new services
- Ensure compliance with safeguarding policies and procedures

We additionally use your personal information to ensure that in the event of an emergency situation we are able to identify and locate any vulnerable adults in a particular area who may require our support.

What categories of personal information we use

Personal information can be anything that identifies and relates to a living person. This can include information that when linked with other information, allows a person to be uniquely identified. For example, this could be your name and contact details.

You will be asked personal questions about all your personal needs, your home circumstances, your health, social life and financial circumstances. Information will also be provided by staff who care for you including nurses, doctors, therapists and care providers. This information will include details about:

- Your medical history
- Your needs and the support you require
- Where you live
- Your family and friends
- Your money and your financial circumstances
- Your safety and any concerns about this

The law treats some types of personal information as 'special' because the information requires more protection due to its sensitivity. This information consists of:

- Racial or ethnic origin
- Sexuality and sexual life
- Religious or philosophical beliefs
- Trade union membership
- Political opinions
- Genetic and bio-metric data
- Physical or mental health
- Criminal convictions and offences

In order to carry out these purposes we collect and obtain the following personal information.

Category of personal data	Special/ Sensitive
Personal data	
Family details	
Lifestyle and social circumstances	
Goods and services	
Financial details	
Employment and education details	
Housing needs	
Business activities	
Case file information	
Physical or mental health	Special
Religious beliefs	Special
Sexual life or sexual orientation	Special
Offences (including alleged offences)	Special
Race or ethnic origin	Special
Criminal proceedings, outcomes and sentences	Special

Legal basis for processing

The legal basis for processing and or sharing your personal information is:

Article 6 of the GDPR allows us to process your data in line with legal requirements under The Care Act (2014).

Article 9 of the GDPR allows us to process special data for the provision of health and social care.

Articles 6 and 9 of the GDPR also allows use to process your data in specific circumstances when it is necessary to protect the vital interests of yourself or someone else

Articles 6 and 9 of the GDPR also allows use to process your data in specific circumstances where it is necessary to seek your explicit consent.

Information sharing/recipients

In addition to the general reasons for information sharing described in the council's corporate privacy notice, we may, with your permission, share personal information about you with the following types of organisations:

- Health services
- Care providers
- Voluntary organisations such as Age UK
- Other local authorities
- Government agencies
- Department for Work and Pensions

This list is not exhaustive.

We share information in order to meet our legal responsibilities and enable those working with you to support you effectively. This will save you being asked for the same information repeatedly.

The information we hold may be shared with health services where there would be a benefit to you or in order to promote your personal health and wellbeing. Partners from health or other agencies, may deliver services on our behalf and where you request to receive support from one of these services, we may be required to share information with these partners so that services can be delivered safely and appropriately. It may also be shared with health services to be used in an anonymised way to help improve the planning of health and social care services generally.

If you are receiving adult social care support in Oldham, then the NHS may share your NHS number with us. This is so that the same number can be used to identify you. By using the same number adult social care and the NHS can work together to provide you with the correct care and support.

Your NHS number is accessed through an NHS service called the Personal Demographic Service (PDS). Adult social care sends basic information such as your name, address and date of birth to the PDS in order to find your NHS number. Once retrieved from the PDS the NHS number is stored in the Council's adult social care case management system.

You have the right to object to the processing of your NHS number. This will not stop you from receiving care but may limit how we are able to support you. To help you decide we will discuss with you how this may affect our ability to provide you with care, and the other options available to you.

If you object to the use of your NHS number for Adult Social Care Purposes or if you want to discuss any of this information in more detail, please contact your case worker

As well as information collected directly from you, we also obtain or receive information.

Even though we are required to share your information with authorised partner organisations, we will ensure this is done in a secure manner, and the information is proportionate in order for them to deliver your services.

These partners will also include organisations that we commission to provide care and support, such as community health services delivered with partners, home care agencies or care homes. You will hear these called providers. As they are delivering care on our behalf these organisations must keep your details safe and secure, and as the data controller we will make sure that they comply with our required information sharing standards and protocols.

As well as information collected directly from you, we also obtain or receive information from the following types of organisations:

- Health services
- Care providers
- Voluntary organisations such as Age UK
- Other local authorities
- Government agencies
- Department for Work and Pensions

This list is not exhaustive.

We also share some data about you with other local authorities in Greater Manchester and with NHS England (in line with section 6 of the Care Act 2014) so that we can assess our performance and improve how we deliver our local care services. Although this shared information is about the care received by our service users, it does not identify anyone directly by name and / or address. Instead we use a numerical identifier so that the information we share does not contain anything that could identify service users directly. The shared information is used solely to produce aggregated reports at a statistical level to compare and assess our performance across Greater Manchester. This helps us to continuously and collectively improve our local services. If you do not wish your data to be used in this way, please discuss with your worker.

In these cases, we would explore flags which can be added to the system to ensure data relating to those who object is excluded. These would be considered by the service and Business Intelligence as received.

Data Transfers beyond European Economic Area

We do not transfer any of your personal information outside the European Economic Area ('EEA').

Automated Decisions

All the decisions we make about you involve human intervention.

How long we keep your data

We will only keep your personal information for as long as the law specifies or where the law does not specify this, for the length of time determined by our business requirements.

Your information will only be kept for a specific amount of time after which it will be securely destroyed in line with the council's record retention policies.

Where can I get advice

More information on how to seek advice in order to exercise your rights, raise a concern or complain about the handling of your personal information by the council can be found in the council's privacy notice which can be found at www.oldham.gov.uk/dataprotection

