Public Health Privacy Notice

Date and version	**Version 5 – August 2020**

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

The Public health Service of Oldham Council is responsible for protecting and improving the health of the population of Oldham. To do this we provide a range of services, the Council has a Public health team and a Director of Public Health and are responsible for:

- Health Protection of the population
- Prevention and Control of infection including COVID19 and investigation of healthcare associated infections (HCAIs)
- NHS commissioners supported in receiving public health advice that they need
- NHS health Check assessment
- Appropriate access to sexual Health Services
- National child measurement programme
- Organising and supporting the 0-5 health service and School nursing services.

The personal data we use supports all or part of the above functions.

This privacy notice also includes the general Public Health Function which   undertakes a range of research activity including consultation as outlined below:

Research

Research for local government can be described as "the systematic collection, collation, analysis and interpretation of data to inform policy or practice, or to increase understanding about future trends, local needs and good practice. It may involve a wide range of methods including:

- Surveys, for example on customer satisfaction or housing needs;
- Qualitative methods, for example focus groups;
- Analysis of existing datasets, for example the Census;
- Review, interpretation and application of others' research findings;
- Reviews of good practice, for example for the purpose of benchmarking; and production of statistical estimates, projections and forecasts.

Consultation

Consultation is a "process of dialogue that leads to a decision. The notion of consultation being a dialogue implies an ongoing exchange of views and information, rather than a one-off event. Dialogue also implies two or more parties listening to and taking account of one another's views."

This notice provides additional privacy information for:

- Stakeholders
- Citizens
- Communities
- Consumers
- Oldham Council Employees

- Persons contracted to provide a service
- Carer's or representatives

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

- 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 MSDi software system. Health checks data etc.
- In order to allow the local authority to respond and manage local COVID19 outbreaks appropriately, the sharing of data (NHS number, name, sex, age, address, postcode, contact details, ethnic group, occupation, place of work and test date) is required to implement outbreak management including the delivery of local Test and Trace.
- In relation to Health care Associated Infections (HCAIs) identifiable datasets with personal details are used 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 In and out of borough hospital organisations, PHE, General and Public, and Primary Care. Whenever we need to transfer information to these organisations we try to remove as much of the detail as possible to anonymise individuals from the dataset.
- We investigate cases of Health Care Associated Infections in relation to communicable infections (this information is stored securely and is managed using the principles of medical confidentiality and data protection. The number of staff handling such data is limited to key professionals, all who undertake regular training about data protection and managing personal information).
- Patients consent is not required under the Type 2 opt out clause as the information held and utilised by Public health is covered by Regulation 3 of the Health Service (Control of patient information) Regulations 2002 and in accordance with COVID19, from the Secretary of State for Health and Social Care to Local Authorities in England dated 20 March 2020 to support the management of communicable diseases including COVID19 Test and Trace and other risks to public health. Test and Trace support would involve the sharing of data (Name, Address, contact details, physical and mental health)
- To analyse the performance of our services, so that we can improve them. Some of these analyses (like contact centre satisfaction) are published in our monthly corporate performance reports. While some analyses are regular, others will be one-offs to support inspections or the redesign of services.
- To analyse information on service users, so we can tell who uses those services, and in what ways, and thus respond better to what users need.

- To analyse information geographically, producing maps of Oldham and areas of Oldham. Where maps are made public, information will always be aggregated so that no information about you can be identified.
- We also use profiling data provided by outside organisations. We use this so that we can understand residents better, by predicting their lifestyles and characteristics. We only use this information in aggregated form, we will never make judgements or decisions about you that will affect the services you receive.

Categories of personal information we use

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

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. The personal data held in relation to health care associated infections relate to the below table.

Category of personal data	Special/ Sensitive
Personal details (e.g. name, address, contact details)	No
Date of birth	No
Gender	No
Sexuality and Sexual Life	Yes
Genetic and bio-metric data	Yes
Racial and ethnic origin	Yes
Health Care Associated Infections	Yes
Physical or mental health	Yes
lifestyle and social circumstances (e.g. Housing, Employment and marriage Status) Income	No

Legal basis for processing

We will use your personal data where necessary to perform our public tasks and duties a local authority under General Data Protection Regulations 'GDPR' 2018 – Article 6(1)(e)), this is supported by the following:
- The Care Act 2014
- The Public Services (Social Value) Act 2012_ Subsection 7
- Local Government and Public Involvement in Health Act (s138)
- Equality Act 2010
- Health Service (Control of Patient Information) Regulations 2002

We may also need to use special category data:
- to save somebody's life in an emergency (GDPR 2018 - Article 9(2)(c))
- for legal cases (GDPR 2018 - Article 9(2)(f))
- in the public interest in the area of public health (GDPR 2018 – Article 9(2)(i))
- for archiving, research or statistical purposes (GDPR 2018 - Article 9(2)(j))

Information sharing/recipients
We may share personal aggregated data for statistical purposes with the following
- Other parts of Oldham Council
- Oldham CCG
- Public Health England
- NHS Organisations (in and out of borough)
- Local Authorities (in and out of borough)
- Survey and research organisations
- Healthcare professionals

Identifiable Personal Information could be shared under the following circumstances:
- Safeguarding, if something you tell us raises a safeguarding concern
- You raise a specific personal issue or concern that requires addressing
- You ask us to share your personal details
- Mandatory communicable diseases including COVID-19

As well as information collected directly from you, we also obtain or receive information from:
- Other parts of the local Authority for research purposes as outlined above
- NHS Digital
- Oldham CCG
- Public Health England for the purposes of outbreak management including Test and Trace relating to COVID-19
- Public Health North West via their processor Greater Manchester Combined Authority for the purposes of Test and Trace to support COVID-19 outbreaks
- Other organisations that allow us to compile profiles to understand residents better, by predicting their lifestyles and characteristics

Data Transfers beyond EEA
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. This varies depending on the nature of the data collected please see link: https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/principles/storage-limitation/

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 www.oldham.gov.uk/dataprotection