

Positive Behaviour Support Service

PRIVACY NOTICE

Who is the Data Controller for the information I provide?

Halton Borough Council is the Data Controller for the personal information you provide.

The Council's Data Protection Officer, Jonathan Greenough, 0151 511 7002 or email jonathan.greenough@halton.gov.uk

We collect and hold information about you in order to deliver, monitor and evaluate the Positive Behaviour Support Service.

Why do you need my information?

We need to collect your information to

- Register you to the Positive Behaviour Support Service
- Ensure you meet our eligibility criteria so we can begin to provide you with support from our service
- Contact you whilst we are working with you and for a follow up review
- Collaborate a variety of information in regards to your behaviour, environment and skills in order to formulate assessment and develop support plans
- Evaluate the impact the positive behaviour support service has had on you and your health and wellbeing
- Measure your eligibility to services and find the best support available to you
- Evaluate the positive behaviour support service as a whole
- Share outcome data with commissioners
- For the purpose of the development of training materials. Individual consent will be sought for inclusion of personally identifiable information or the use of video footage
- For wider didactic purposes e.g. publication of service outcomes in academic journals related to Positive Behaviour Support/Behaviour Analysis
- Measure the volume, type and source of PBSS referrals coming in, for evaluation, monitoring and reporting purposes of the service.

What legal basis allows you to use my information?

Your consent provides the legal basis for us to process your information. Consent may be obtained via MCA/best interest processes if you do not have the capacity to consent to this yourself.

Legitimate interest allows us process information in relation to your referral and triage.

Do I have to provide this information and what will happen if I don't?

To register with the positive behaviour support service, the minimum amount of personal data we require is your name, date of birth, address and contact details. If you do not provide this, we will be unable to offer you the service, as we cannot identify you from other service users or contact you.

In order to deliver the best service we can to support and help you we need to gather information on how your life is now, including yourself and family members and what you would like to change. It is up to you how much information you share with us, however, the more information you do share; the more likely it is that we can support you in a way that suits you best.

This includes:

- Ensure you meet eligibility criteria of the service so you are able to access the service
- Register you with the positive behaviour support service
- Contact you to arrange to meet you or to provide you with the service
- Measure your eligibility to services to find the best support available to you
- Evaluate the impact the positive behaviour support service has had on you and your health and wellbeing
- Measure the impact of the positive behaviour support service as a whole

Who will my information be shared with?

You can choose which services you are comfortable with us sharing your data with.

With your consent, your information may be shared with health services, local organisations and support services as a referral. We would always agree this with you beforehand as part of your support plan, and would not share any information with these organisations without your prior agreement and consent.

As part of our training opportunities, we may want to show others video footage of you demonstrating the Active Support Model. Consent to be filmed and consent to use your video footage will always be sought and you may withdraw your consent at any point. Training videos could be shared with service providers, families, and schools in Halton and other areas in Merseyside and Cheshire.

If we are worried about your wellbeing or safety we may share your information with social services, the emergency services or your GP under Halton Borough Council's Safeguarding Policy.

Your information may be included in the reporting of outputs and outcomes both on a local and wider scale e.g. through publication. This will not include any personally identifiable information unless prior consent has been given.

How long will you keep this information for and why?

We will keep your information in line with Halton Borough Council's policy on Record Retention Schedule.

Typically certain PBSS records e.g. Functional Assessment, behaviour support plan, discharge reports etc., will likely form part of your wider records, which have their own retention periods:

Children's social care- 100 years

Adult social care- 30 years

SEND- 75 years

Isolated PBSS records that have not formed part of these wider records will be retained by the service for 15 years following complete discharge. This is to ensure relevant behavioural records are available to reference in the event of a re-referral back to the service.

How will my information be stored?

Your information will be stored using Halton Borough Council social care database management systems. The positive behaviour support service will upload your registration information and will keep a log of all of their contact with you. Any written paper information will be uploaded to the social care management system and later destroyed. The social care management system is encrypted to ensure information is as well protected as possible.

Prior to consent processes happening, your information will be stored on a council laptop. Council laptops are all encrypted, virus protected and password protected.

Training videos will be stored on Sharepoint and also accessible via a specific secure sharing website, which will be password protected and only made accessible to training delegates.

Source of information:

Your information is passed to us via referral pathways from other professionals and organisations including:

Social work professionals

CAMHS professionals

Child development centres

Schools

CAF/MAP leads

Learning Disability nurses

Other Local Authority professionals e.g. commissioners

Other health colleagues e.g. SALT, Psychology and OT

Whilst you are being supported by PBSS information will continue to be provided in regard to you by these professionals and your family.

Will this information be used to take automated decisions about me?

No, we will not make decisions on your behalf.

Will my data be transferred abroad?

No, your data will not be transferred abroad.

What rights do I have when it comes to my data?

Right to be informed – through this Privacy Notice

Right to rectification – you have the right to have personal data rectified if it is inaccurate or incomplete.

Right to erasure – you have the right to have personal data erased and to prevent processing however the right to erasure does not apply in some circumstances.

Right to restrict processing – you have the right to block or suppress processing of your data, however this right does not apply in some circumstances.

Right to data portability – you have the right to obtain and reuse your data for your own purposes (copy or transfer personal data to another environment) in certain circumstances

Right to object to processing (to certain types of processing only)

Rights related to automated decision making and profiling.

Right of Access - you have the right under the Data Protection Act (General Data Protection Regulation 2018) to request a copy of your information and to know what it is used for and how it has been shared. This is called the right of subject access. To request a copy of your data or ask questions about how it is used download a copy of our form from

<https://www4.halton.gov.uk/Pages/councildemocracy/Data-Protection.aspx> and send it to Information Governance Service, Halton Borough Council, Service Improvement Division, Municipal Building, Widnes, WA8 7QF. Or email informationgovernanceservice@halton.gov.uk

Who can I complain to if I am unhappy about how my data is used?

You can complain directly to the Council's Data Protection Officer by writing to:

Data Protection Officer, Information Governance Service, Halton Borough Council, Municipal Building, Widnes WA8 7QF' or by email to

informationgovernanceservice@halton.gov.uk

You also have the right to complain to the Information Commissioner's Office using the following details: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF. Telephone: 08456 30 60 60 or 01625 54 57 45.

Website: www.ico.org.uk