

PRIVACY NOTICE Halton Short Breaks

Who is the Data Controller for the information I provide?

Halton Borough Council collects, uses and is responsible for certain personal information about you and your child and is the Data Controller for the personal information you provide under Data Protection law.

Why do we collect and hold information about you?

Halton Borough Council and its partner organisations are working closely to deliver Short Breaks Activities for children and young people. Halton will collect information through a registration form to determine whether the child qualifies for activities; to support the delivery of activities by being aware of any relevant disability and special educational needs of your child, to promote and maintain service delivery, and to track the level of support that each child/young person uses within a financial year.

We may also use the contact details you give us to contact you via phone, email and post so that we can communicate with you effectively about your child.

What legal basis allows you to use my information?

All organisations must provide a legal basis under UK GDPR for processing your information and **Article 6(1)(e) of UK GDPR** states that the processing of personal data is necessary to perform a task in the public interest or for official functions (task or function has a clear basis in law).

When we collect or share special category personal data **Article 9(2)(g) of UK GDPR** states that the processing is necessary for reasons of substantial public interest (task or function has a legal basis in law).

The acts of legislation that dictate what actions can and should be taken by local authorities includes The Breaks for Carers of Disabled Children Regulations 2011 which requires local authorities to provide short breaks services that will help and support parents and carers who look after a disabled child or children, and: -

- The Childrens Act 1989 and 2004
- Chronically Sick and Disabled Persons Act 1970
- Children and Families Act 2014
- Equality Act 2010

With your consent **Article 6(1)(a) of the UK GDPR** we will ask for information through a registration or booking form so that we can deliver a service to your child, this may include health information and consent to take images of your child engaging in Short Breaks Activities to post on social media.

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

If you do not provide the required information we will not be able to provide the activities for your child or children as we will not have sufficient information about them to confirm whether they are eligible to access the service.

Who will my information be shared with?

Information will be shared as necessary and following information security procedures with the following teams within Halton Borough Council working to improve outcomes for children and young people i.e. Short Breaks Team, Social Care and the Commissioning Team.

The application / registration form will be shared with the delivery organisations as named in the application form to assist them in planning and promoting the activity sessions, and to contact you via phone or email if they need to communicate with you about your child. This information will be collect via a booking platform Eequ Ltd for information about this and how they use your information please refer to

<https://help.eequ.org/en/articles/221003-eequ-privacy-policy>

How long will you keep this information for and why?

We will only hold your personal data for as long as necessary to achieve the relevant purpose unless we are legally required to retain it for a specific period. This will be until 75th anniversary of child's birthday or if a child dies before age of 18, then 15 years from date of death'.

How will my information be stored?

Your information will be stored electronically in a secure environment meeting data protection requirements.

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

No

Will my data be transferred abroad and why?

No

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

Under the UK General Data Protection Regulation (UK GDPR) you have the following rights:-

1. Right to be informed – through this Privacy Notice
2. Right to rectification – you have the right to have personal data rectified if it is inaccurate or incomplete.
3. 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.
4. 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.

5. 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
6. Right to object to processing (to certain types of processing only)
7. Rights related to automated decision making and profiling.
8. Right of Access - you have the right 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 Halton Borough Council, Information Governance Service, PO Box 317, Runcorn, WA7 9BZ, or email by email to informationgovernanceservice@halton.gov.uk

Withdrawing Your Consent

Where we rely on your consent to process your personal data, you have the right to withdraw that consent at any time.

Withdrawing your consent will not affect the lawfulness of any processing carried out before your consent was withdrawn.

To withdraw your consent for any specific activity, including the use of photographs or other consent-based processing, please contact us using the details below and clearly specify which consent you wish to withdraw: -

Email: SENDContracts@halton.gov.uk

Post: Commissioning and Placements Team, Halton Borough Council, PO Box 317, Runcorn, WA7 9BZ

Please note that some services or activities may be affected if you choose to withdraw your consent as we will not have sufficient information about your child to confirm whether they are eligible to access the service.

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, Halton Borough Council, PO Box 317, Runcorn, WA7 9BZ 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: 0303 123 1113. Website: www.ico.org.uk