

Adult Social Care – 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 can be contacted on 0151 511 7002 or by email to Jonathan.Greenough@halton.gov.uk or contact Adult Social Care Customer Care Team at SSD.Complaints@halton.gov.uk

Why we collect and hold information about you?

As part of assessments of care and planned support needs you will be asked for a wide range of information. These details are captured about you and your circumstances so that the Council can determine your eligibility to access services and establish what services may be best suited to your needs.

Why do you need my information?

Halton Borough Council is always working to improve the way services are provided to our customers. We want to ensure that we are transparent and provide you with information about how we will use your personal data.

Your information is needed to enable us to identify the level of support that you may require. The support may consist of signposting to other agencies and/or referral to adult social care, providing services to you and supporting you to arrange your own adult social care.

By contacting Halton Borough Council to make a complaint you have given your consent to process your information for this purpose. Any personal data collected through the complaints handling process will be processed in accordance with data protection legislation.

What legal basis allows you to use my information?

The lawful basis used to process your personal data initially is 'Consent' and depending upon the outcome of the screening process potentially may lead to the lawful basis being 'Public Task' (to carry out its public functions and powers that are set out in law) as below:

- Adult Social Care services are covered by the Care Act 2014;
- Housing Solutions is covered by the Housing Act 1996, Homelessness Act 2002 and Homelessness Reduction Act 2017;
- Complaints relating to Adult Social Care are covered by the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009, Regulation 3; and

- Health and Social Care Act 2012 and Care Act 2014 in respect of Client-Level ASC Data Direction 2017

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

If you do not provide the required information it will be not be possible to determine your level of need and possible support that can be provided to you and your family.

Who will my information be shared with?

Provision of services and support is centred on your individual needs and this may involve sharing of information with appropriate partner agencies, such as:

- Healthcare professionals;
- Council commissioned providers of care and support;
- Other commissioned consultants to undertake care and support-related projects;
- Your relatives or family representative (subject to your agreement or in your 'best interests');
- An independent advocate appointed to represent your wishes;
- Housing landlords and tenancy officers;
- Other Local Authorities, where care and support may involve their contribution;
- Other public services (such as the Fire Service, Ambulance Service, Education Authority, Department of Work and Pensions, Police);
- Government departments that oversee social services conduct and compliance (such as the Disclosure and Barring Service or the Care Quality Commission, Department of Health and Social Care, NHS Digital); and
- Other Council departments with a valid access requirement.

How long will you keep this information for and why?

Data is retained within Council systems for a period of time determined by regulations controlling retention of records and in line with the HBC Corporate Retention Policy, as follows:

Area	Retention Period
Adult Social Care – including community services, independent living, care management, care homes	7 years after service ends
Mental Health	30 years after service ends
Housing	7 years after service ends

How will my information be stored?

All information held by Adult Social Services in Halton is done fairly and lawfully with appropriate justification. By keeping your information on our IT systems the Council is able to provide appropriate, timely and efficient services.

Adult Social Services record your details on data management information technology (IT) systems which comply with Government Regulations. All personal data stored electronically is held on secure (encrypted) equipment.

Your information can only be accessed by authorised staff and others with a legitimate right to access it, including you. You are legally entitled to request access to any records held by the Council about yourself. For more information please request our **Subject Access Request** procedures.

Your personal details will never be shared with any third party for marketing purposes.

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

No

Will my data be transferred abroad and why?

No, there are no circumstances where your data will 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 1998 (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

Decision-making capacity - If a person is not able to make a decision about their consent to assessment or to information being shared an appointed representative can do so on their behalf, provided they hold lawful powers to do so.

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.

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