

Overarching Privacy Notice for Adult's Wellbeing Services

(Covering: Advice and Referral Team, Social Care Operations, Direct Payments, Housing, Quality and Review, Home First, Deprivation of Liberties, The Welfare and Assessment Team, Occupational Therapy, Telecare, Home Improvement Agency, Transitions, Brokerage)

Information Held About you

In order to make informed decisions regarding your safety and wellbeing and to make appropriate services available to you, it is necessary for us to collect and hold personal information about you. This information may relate to you, your family and any other persons in your household. Data will include:-

- Basic details about you and your family such as address, telephone number, email address, NHS number, national insurance number.
- Relevant personal sensitive information such as religion, ethnic origin; disability status, education, marital status, offences (including alleged offences), criminal record, employment details; national insurance number,
- Financial, property and welfare benefit information where it is relevant, including national insurance number.
- Contact we have had with you, such as home visits and meetings,
- Assessments, reports and care plans about you,
- Records of decisions made about you and the support services you need and receive
- Relevant information from anyone who cares for or knows you, for example a health professional or a relative.
- Copies of assessments and reports written by third party agencies.
- Information relating to your housing status

The third party agencies referred to above may include health professionals, police and any other organisation with whom you are currently or historically been involved with.

Who is processing my data?

All personal data held, is processed in accordance with data protection law. The Data Controller for the information outlined in this privacy notice is Herefordshire Council.

Where joint Data Controllers are identified as part of providing services to you, you will be made aware of this.

Hoople Ltd are the data processors who will process any service and financial information, if relevant, on behalf of the council.

How will we use the Information we hold about you?

We will collect information about you, your family and those that care for you (where applicable) to make informed decisions regarding support services and/or care you need, how it will be met and how you will be charged (where applicable)

What is the legal basis for us to process your data?

The legal basis for processing the data is our legal obligations for social care provision, and the necessity for the performance of a task carried out in the public interest or in the exercise of official authority vested in the social care department.

The statutory legal obligation is covered by a variety of legislation which includes The Care Act 2014, The Carers Act 2004, Equality Act 2010, Health Act 2009, Health and Social Care Bill 2011, Human Rights Act 1998, Mental Capacity Act 2005, Mental Health Act 2007, The Deprivation of Liberty Safeguards, Housing Act 1996/2002 and Homeless Reduction Act 2018, Welfare Reform Act 2012, Social Security Regulations 2012, Housing Grants Construction & Regeneration Act 1996.

Where the statutory requirements apply social care is obliged to process personal data for the purposes outlined above.

Who we will share your information with

We may share information about you or your family with partner organisations where relevant and appropriate or where safeguarding concerns are raised. These organisations may include:-

- Health professionals such as hospitals, GPs, community nurses and ambulance services. Where relevant this may also include specialist health professionals who may be currently involved with you, your family and any other person living in your home, or those to whom a referral is being made on your behalf. This may include specialist mental health services, psychologist etc.
- Police may be approached for relevant information to enable appropriate decisions to be made about the safety and security of you, your family and any other person living in your home. This will include full disclosures of criminal history and sentencing. Sensitive information will only be shared if it is relevant.
- If you tell us that you and your family are currently working with any other organisations we will approach them for information to ensure that we have a full picture of the current and historical situation for you and your family.
- All relevant departments within our own authority such as the home improvement agency, occupational therapists, community brokers, housing, council tax. Some services may be not be internal to the authority and may be completed under contract so information will be provided to the services to enable them to fulfil their contract and provide services to you. I.e. Hoople for finance services for the Council.
- If you require residential, nursing or domiciliary care, your details will be shared with service providers in order to identify an appropriate placement to meet your needs.
- If your care needs are met through a direct payment, your details may be shared with a card company, and/or approved support provider to manage your account (where appropriate).
- If there are any concerns of a safeguarding nature and you have moved from our area, we may be contacted by your new local authority and social work teams. We will share relevant information with them.
- If you require equipment, adaptations, rehousing or technology enabled care services your details may be shared with relevant provider services including housing providers, equipment providers, monitoring services, and / or voluntary services where relevant.
- We may share your information with the National Patient Safety Agency, The Care Quality Commission and Health Watch for reporting accidents and information.

- We may share with and/or obtain information about you from Department of Work and Pensions for the purpose of administering financial assessments and Welfare Benefits where applicable.
- Subject to strict agreements describing how it will be used, the information we gather may be shared with any of the multi-agency professionals working with you and your family or those to whom we make a referral on your behalf.
- We may share personal data to be used to improve our services, such as with an organisation such as the Local Government Association auditing our work through a peer review.

If there are no safeguarding concerns, we will not normally share your information with organisations other than our partner organisations without your consent, however, there may be certain circumstances where we would share without consent such as where we are required to do so by law, to safeguard public safety or funds and in risk of harm or emergency situations. Any information which is shared will only be shared on a need to know basis, with appropriate individuals. Only the minimum information for the purpose will be shared.

How Long do we Keep your Records

We will only keep your information for the minimum period necessary. All information will be held securely and destroyed under confidential conditions. The information outlined in this privacy notice will be kept as detailed below:

AWB DoLS	8 years
AWB Learning Disability	6 years
AWB Mental Health	8 years
AWB Miscellaneous papers/NFA Referrals	3 years
AWB Older People	6 years
AWB OT/Physio	8 years
AWB Physical Disability	6 years
AWB Sensory Impairment	6 years
AWB Vulnerable Adults/Safeguarding	6 years
AWB Carers following assessment	6 years
AWB Financial Information only	7 years
AWB DoLS	8 years
AWB Home Improvement Agency	Up to 12 year

Your entire record will be retained for the maximum retention period relevant for that file. If you would like further clarification on how retention periods are applied, please discuss this with your worker.

Your rights

You have a number of rights under data protection law, including the right to request your information and to request that the information be amended or erased if incorrect. Mistakes can be rectified however where your opinion of the information held on record differs from that of the professional, this will be recorded as an addendum to the report. Your opinion will be shared whenever the report is shared, however the report can only be amended where there is a factual inaccuracy.

To request your records, you will need to put your request in writing and provide proof of identification to the Information Governance Team, Herefordshire Council, Plough Lane, Hereford HR4 0LE or via email, informationgovernance@herefordshire.gov.uk

You also have a right to make a complaint about our handling of your personal data to the Information Commissioner's Office <https://ico.org.uk/>

Providing Accurate Information

It is important that we hold accurate and up to date information about you in order to assess your needs and delivery the appropriate services. If any of your details have changed, or change in the future, please ensure that you inform us as soon as possible so that we can update your records.

Further information

If you have any questions or concerns about how your information is used, please contact the relevant team in the first instance. You can also contact the Data Protection Officer, Carol Trachonitis, at Herefordshire Council, Plough Lane, Hereford HR4 0LE, email: informationgovernance@herefordshire.gov.uk

More information about data protection and how it applies to you can be found on the Information Commissioner's Office website at <https://ico.org.uk/>