

Classification: OFFICIAL

READING BOROUGH COUNCIL

Data Privacy Notices (DPNs) Under GDPR

<p>The identity and contact details of the company:</p> <p>Charles Clore Court, Flat 12, 139 Appleford Road Reading RG30 3NT</p>
<p>Contact details of the Data Protection Officer</p> <p><i>Ricky.gill@reading.gov.uk</i></p>
<p>What Personal Data is held?</p> <p><i>Name, address, DOB,NOK,NHS number, DNR, Power of Attorney, Medical History</i></p>
<p>How will the data be stored?</p> <p><i>On secure encrypted laptops and systems. Non electronic files kept in locked filing cabinets. STAFF ONLY - non electronic files will be maintained and secure in a locked cabinet.</i></p>
<p>What is the legal basis for the collection, use and storage of the data?</p> <p><i>To deliver care services within individuals own homes. The service is registered with Care Quality Commission. Data will be requested for inspection purposes from the Commission. They consider that it is lawful under the Data Protection Act 1998 for us to provide contact details to them because they are not asking for sensitive personal information about people's health or treatment from us, and because the disclosure is necessary for the Commission to exercise their statutory functions (in accordance with paragraph 5(b) of schedule 2 of the Act).</i></p>
<p>Give details of how long the data will be stored and criteria used to determine this?</p> <p><i>6 years- HRMC</i></p>
<p>Who will it be shared with and for what purpose?</p> <p>Internally Health - joint/integrated services Power of Attorney</p>
<p>How can the service user get access to it?</p> <p><i>Subject Access Request can be made by following the link: www.reading.gov.uk/dataprotection</i></p>
<p>Ask a member of staff</p>
<p>State whether any data is to be transferred outside the EU?</p> <p><i>N/A</i></p>
<p>Is processing based on consent?</p> <p><i>The right to withdraw consent at any time needs to be communicated</i></p> <p><i>We may not be able to delete your personal data if it is needed for legal reasons, for reasons of public health, public interest or for medical purposes.</i></p>
<p>What other rights does the service user have that we have to make known to</p>

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them?

The right to have their data corrected, the right to have their data deleted and their right to put a complaint to the Information Commissioner's Office (ICO)

State if there will be any automated decision making

Consent

The GDPR sets out a higher standard for consent than the Data Protection Act. The GDPR defines consent as '*any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.*'

Consent has to be a positive indication of agreement to personal data being processed. It cannot be inferred from silence, pre-ticked boxes or inactivity. Opt out consent is no longer acceptable under the GDPR. The GDPR is clear that controllers have to demonstrate that consent was given, so a review is best practice in order to ensure there is an effective audit trail.

How should you write a consent request?

Consent requests need to be easy to understand and separate from any other information such as general terms and conditions.

The consent request must include the name of your organisation and the names of any third parties who will rely on the consent.

Your purpose for wanting the data and the processing activities you will be doing with the data need to be included.

The right to withdraw consent at any time and how to do this must be included.