

READING BOROUGH COUNCIL

Data Privacy Notice (DPNs) Under GDPR

The identity and contact details of the company:

Reading Borough Council
Short Term Team (ASC)
2nd Floor East
The Avenue Centre
Conwy Close
Reading
RG30 4BZ

Contact details of the Data Protection Officer

Ricky.gill@reading.gov.uk

What Personal Data is held?

- Name
- Address
- DOB
- Medical history
- Social Care history
- Access to property information
- NOK
- Relevant person/other
- Power of Attorney
- Information shared with other RBC teams, external providers, or health services
- Sensory Needs information inform assessment process

When the service ceases, the client record is closed in Mosaic.

How will the data be stored?

- RBC Retention Policy
- Secure encrypted laptops
- Encrypted USB
- IT systems.
- Password protected documents
- Password protected mobile phones
- Privacy Notice

What is the legal basis for the collection, use and storage of the data?

To undertake assessment and care and support planning under the Care Act 2014.

To deliver quality care and support services in the person's own home, ECHS, respite care, residential/nursing home.

Person identifiable, sensitive data will be available for inspection/review/audit

<p>purposes. Lawful under the Data Protection Act 1998 / GDPR for RBC to provide If not provided, RBC may not be able to provide a service. RBC has a duty of care - cut and paste Legislation - cut and paste</p>
<p>Give details of how long the data will be stored and criteria used to determine this?</p> <p>6 years - HRMC</p>
<p>Who will it be shared with and for what purpose?</p> <ul style="list-style-type: none">• RBC relevant services• BHFT• Safeguarding Team• Shared Legal Team• Court of Protection• Clinical Commissioning Group (CCG)• Continuing Health Care Team• NHS• Joint integrated services• Nottingham Rehab Supplies (NRS)
<p>How can the service user get access to it?</p> <p><i>Subject Access Request can be made by following the link:</i> www.reading.gov.uk/dataprotection</p>
<p>State whether any data is to be transferred outside the EU?</p> <ul style="list-style-type: none">• Data will not be transferred outside the EU
<p>Is processing based on consent?</p> <p>The right to withdraw consent at any time needs to be communicated</p> <p>You have a 'right to be forgotten' so you can ask for your personal information to be deleted where:</p> <ul style="list-style-type: none">• It is no longer needed for the reason why it was collected in the first place• You have removed your consent for us to use your information, and we do not have to keep your information for legal reasons. <p>If we have shared your personal information with others, we will do what we can to make sure those using your personal information comply with your request for erasure.</p> <p>We may not be able to delete your personal information if it is needed for legal reasons, for reasons of public health, public interest, or for medical purposes.</p> <p>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.</p>

What other rights does the service user have that we have to make known to them?
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The right to have their data corrected, and their right to put a complaint to the Information Commissioner's Office (ICO)

State if there will be any automated decision making
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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.