

READING BOROUGH COUNCIL

Adult Social Care Data Privacy Notice

<b>The identity and contact details of the company</b> Reading Borough Council, Directorate of Adult Care & Health Services
<b>Contact details of the Data Protection Officer</b> Ricky.gill@reading.gov.uk
<b>What Personal Data is held?</b>  Personal information such as Name, Date of Birth, Address, Telephone number, Email address Contact details for members of your family and support network Photographs Gender Any additional need information Information about your racial, ethnic origin, religious or philosophical belief and your sexual orientation Medical information Assessment outcomes Young carer details Information about your finances, e.g bank details, income, benefits Criminal Records Data from the NHS test and trace programme
<b>How will the data be stored?</b> In secure electronic management database systems, spreadsheets stored on internal secure folders and accessed on secure encrypted laptops. All data is stored on secure servers.
<b>What is the legal basis for the collection, use and storage of the data?</b>  Data collected is required under the Under the Care Act 2014, Children's Act 2006/2016 and Mental Capacity Act, Mental Health Act 1983 (Amended 2007), Covid-19 – Notice under Regulation 3(4) of the Health Service Control of Patient Information Regulations 2002' from the Secretary of State for Health and Social Care to Local Authorities in England dated 20 March 2020. As required by the DOH CQC inspection requirements Finance Assessment and Benefits framework  Data collected is used to: <ul style="list-style-type: none"><li>• enable us to carry out specific functions for which the local authority is responsible</li><li>• derive statistics to fulfill our statutory duties and returns and inform decisions such as spending forecasts</li><li>• assess performance, set targets and improve services</li><li>• to prevent and manage outbreaks of COVID-19</li></ul>

Give details of how long the data will be stored and criteria used to determine this?				
Nature of Record	Retention Period	Action at the End of that Period	Legislation	Reason eg, statutory requirement, best practice, audit, operational need
<b>Adult Services</b>				
All records relating to the creation and management of adults/children eligible under the Care Act 2014	Retain from 14 years of age for 15 years if record is inactive	Destroy	Care Act 2014	Statutory requirement
Allegation of safeguarding against a member of staff working within a care setting including where the allegation is unfounded	Retain from creation for 15 years if record is inactive	Destroy	S42 Care Act 2014 Data Protection Act 2018	Statutory Requirement
Safeguarding Adults Case Files	Retain from date of allegation for 40 years unless record is active	Destroy	S42 Care Act 2014 Data Protection Act 2018	Statutory Requirement
Sight and Visual Impairment Register	Permanent	Destroy	Care Act 2014	Statutory Requirement
Financial Assessments	Retain from creation for 15 years if record is inactive	Destroy	Care Act 2014	Statutory Requirement
<b>Residential Care/ Nursing Care</b>				
All records relating to adults who are resident in residential care including self-funders and identified carers	Retain from creation to RIP	Destroy	Care Act 2014	Statutory Requirement
All records relating to Serious Case Reviews including the final report	Retain from date of report for 15 years	Destroy	Care Act 2014 S44	Recommended
All records pertaining to Deprivation of Liberty	Retain from creation for 15 years if record is inactive	Destroy	Care Act 2014	Statutory Requirement
All records relating to the constitution and management of the Local Safeguarding Adults Board	Retain from year record is created for 4 years	Destroy	Care Act 2014 S44	Statutory Requirement
<b>Shared Lives</b>				
All records relating to the management of the shared lives process	Retain from creation for 15 years if record is inactive	Destroy	Care Act 2014	Statutory Requirement
All records relating to the provision of placements by the local authority	Retain from creation for 15 years if record is inactive	Destroy	Care Act 2014	Statutory Requirement
Records relating to the application to become shared lives families	Retain from date of creation until date of de-registration and retain for 10 years	Destroy	Care Act 2014 Data Protection Act 2018	Recommended
<b>Day Services and Respite</b>				

All records pertaining to adults who are in receipt of day services or respite commissioned by RBC	Retain from creation for 15 years if record is inactive	Destroy	Care Act 2014 Data Protection Act 2018	Statutory Requirement
All records pertaining to Deprivation of Liberty	Retain from creation for 15 years if record is inactive	Destroy	Care Act 2014	Statutory Requirement
All records relating to Serious Case Reviews including the final report	Retain from date of report for 15 years	Destroy	Care Act 2014 S44	Recommended
All records relating to the management of buildings being used as day services	Retain from year record is created for 6 years	Destroy		Statutory Requirement
<b>Support for Adults and Carers</b>				
All records relating to advocates	Retain from creation for 15 years if record is inactive	Destroy	Care Act 2014	Statutory Requirement
All records pertaining to Deprivation of Liberty	Retain from creation for 15 years if record is inactive	Destroy	Care Act 2014	Statutory Requirement
All records pertaining to advice and guidance	Retain from creation for 15 years if record is inactive	Destroy	Care Act S4 2014	Statutory Requirement
All records relating to carers of individuals	Retain from last contact for 6 years	Destroy	Care Act 2014	Statutory Requirement
All records relating to occupational therapy equipment	Retain from year record is created for 6 years	Destroy	Care Act 2014	Statutory Requirement
All records relating to disability facilities grants	Retain from year record is created for 6 years	Destroy	Care Act 2014	Statutory Requirement
All records relating to the provision of support for adults and the families of adults living with HIV and AIDS	Retain from last contact with family for 6 years	Destroy	Care Act 2014	Statutory Requirement
All records relating to deputies financial management	Retain from creation of records until deputyship ends and then retain for 6 years	Destroy	Care Act 2014	Statutory Requirement
Financial details for those in receipt of direct payments	Retain from creation of records until the direct payment ends and then? retain for 6 years	Destroy	Care Act 2014	Statutory Requirement

**Who will it be shared with and for what purpose?**

Department for Health  
 National Health Service  
 CCG  
 CQC  
 Schools and Higher education  
 Courts

Police  
Housing  
Local Safeguarding Adult Board  
Other partner agencies if/when required

Information will be shared due to statutory requirements, legal obligations, progress monitoring and tracking to determine service delivery  
Information will be shared internally if required for better performance and efficiency of Council services and the welfare of individuals and their carers.

If you are receiving support from adult social care then the NHS may share your NHS number with Adult Social Care. This is so that the NHS and adult social care are using the same number to identify you whilst providing your care. By using the same number the NHS and adult social care can work together more closely to improve your care and support.

Your NHS number is accessed through an NHS service called the Personal Demographic Service (PDS). Adult social care sends basic information such as your name, address and date of birth to the PDS in order to find your NHS Number. Once retrieved from the PDS the NHS Number is stored in the Council's adult social care case management system.

In terms of the Data Protection Act 2018 the Council is both the Data Controller and the Data Processor.

The NHS Number is a unique identifier that will allow us to use it in an integrated care record system across a number of support services including GP's, hospitals, community matrons, district nurses and social care practitioners for the provision of direct care.

The Council will share information only to provide health and social care professionals directly involved in your care, access to the most up-to-date information about you. It will do this by sharing appropriate information between health and social care services at the time of patient contact. Access to information is strictly controlled, based on the role of the professional. For example, social workers will only have access to information that is relevant to the execution of their care duties.

The addition of the NHS Number to social care data will bring additional benefits:

- Better coordinated and safer care across health and social care enabled through the sharing of real-time information.
- Better coordination of discharges from hospital into social care.
- More time to spend on planning and coordinating social care because health staff can identify and involve social care staff earlier in the process.
- Earlier intervention to maximise the opportunities or re-ablement services leading to greater independence for patients.
- Less paperwork and more efficient use of social care resources.

You have the right to object to the processing of your NHS Number in this way. This will not stop you from receiving care, but will result in the benefits outlined above not being realised. To help you decide, we will discuss with you how this may affect our ability to provide you with care, and any other options you have.

If you wish to opt-out from the use of your NHS Number for social care purposes, please talk with your social worker, by contacting us on 0118 937 3747 or email to [CSAAAdvice.Signposting@reading.gov.uk](mailto:CSAAAdvice.Signposting@reading.gov.uk)

**How can the service user get access to it?**

Subject Access Request can be made by following the link:  
[www.reading.gov.uk/dataprotection](http://www.reading.gov.uk/dataprotection)

**State whether any data is to be transferred outside the EU?**

No

**Is processing based on consent?**

Where consent is required this will be sought. However some data is required based on statutory requirements, where no consent is required.

Where application the right to withdraw consent at any time will be applied except in the case of statutory requirements.

You have a 'right to be forgotten' so you can ask for your personal information to be deleted where:

- 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

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.

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.

**What other rights does the service user have that we have to make known to them?**

Under GDPR you have rights which you can exercise free of charge which allow you to:

- know what we are doing with your information and why we are doing it
- ask us to correct any mistakes in the information we hold about you
- object to direct marketing
- make a complaint to the Information Commissioner's Office

We will always seek to comply with your request however we may be required to hold or use your information to comply with legal duties. Please note, your request may delay or prevent us delivering a service to you.

**State if there will be any automated decision making**

No