



Privacy Notice – Adult Social Care

Who Will Be Responsible For My Data Once It Is Collected?

Warrington Borough Council will be responsible for the data once it is collected.

Why Do You Need My Information?

The information we gather will be held, used and processed for the purpose of arranging, providing managing and evaluating your care and associated services to meet your needs.

What Allows You To Use My Information?

When we collect your information in order to support you, we are doing so in our capacity as a public authority so our lawful basis for using your information is under our Public Task duties.

In certain circumstances, we need to comply with other relevant legislation that includes but is not exclusive to, the following legislation and associated codes of practice:

- Care Act 2014
- Health and Social Care Act 2012
- Health and Social Care Quality and Safety Act 2015 (Section 251b)
- Mental Capacity Act 2005
- Mental Health Act 1983
- Protecting your vital interests under Article 6 of the General Data Protection Regulation (Data Protection Act 2018)

The legal basis for processing your personal and special category information in line with the General Data Protection Legislation is:

Article 6 (e) **Public task:** the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.

Article 6 (c) **Legal obligation:** the processing is necessary for you to comply with the law.

Article 6 (d) **Vital interests:** the processing is necessary to protect someone's life.

Article 9(2)(h) **Health or social care:** the provision of health or social care or treatment or the management of health or social care systems and services

What Type of Information Will Be Processed?

Personal and special category data will be processed, which may include but is not exclusive to the following examples:-

- Names
- Current Address
- Previous Address
- Date of Birth
- Mental Health Status
- Physical Health Status
- Unique Identifiers (NHS numbers)
- Medical History
- Physical Attributes and Unique Features
- Personal contact details (including phone numbers, email addresses etc)
- Next of kin/carer name & contact details
- Health and care services you have accessed
- Your views about services
- Feedback and contribution of ideas for improvements

Who Will My Information Be Shared With?

Section 251b of the Care Act 2014 states that the providers of health and social care services have a duty to share information when it is likely to facilitate the provision of an individual's health and care service in England.

When we share your information with another body, we will only do this for the provision of arranging, providing, managing and evaluating your direct care.

The agencies could share your information with are:

- Health partners (e.g. GP practice; North West Boroughs Healthcare NHS Foundation Trust, Bridgewater Community Healthcare NHS Foundation Trust, Warrington and Halton Hospitals NHS Foundation Trust, Warrington Clinical Commissioning Group, Healthwatch etc.)
- Law enforcement agencies (e.g. Cheshire Police)
- Health and social care providers (e.g. care agencies commissioned to provide direct support)
- Other departments within Warrington Borough Council (e.g. Children's Services, Housing)
- Housing Associations
- Paid advocates (e.g. Warrington Speak Up)

This is not an exhaustive list, so could include other agencies relevant to your circumstances.

Do I Have To Provide This Information And What Will Happen If I Don't?

The majority of information you provide to us is voluntary. In order to comply with data protection legislation, we will inform you whether you are required to provide certain information to us and where you have a choice in this.

If you are not able to make decisions about your information, decisions can be made by your authorised representative, i.e.

- someone who holds a registered power of attorney given by you or
- a Deputy appointed by the Court of Protection.

If you don't have an authorised representative, the professionals involved in your care will make a decision about what would be best for you (within the provisions of the Mental Capacity Act 2005). They will take the views of your relatives and carers into account.

When an adult receives care and support from the Local Authority, it can be due to the following:

- By agreement or request (you volunteer basic details)
- Safeguarding concerns (so agencies can share information about an individual without their consent)
- Referral from another organisation – for example your GP.

How Long Will You Keep This Data For And Why?

Your information will be kept in line with Warrington Borough Council's Retention and Disposal Policy.

How Will My Information Be Stored?

Your data will be stored securely within the Council's Adult Social Care System electronically and/or the Council's secure filing system.

What Rights Do I Have When It Comes To My Data?

Under the Data Protection Act 2018 (General Data Protection Regulation), you might have more rights about what happens with your data.

As different rights apply in different situations each request will be assessed on a case by case basis.

- 1. Right of Access (formerly Subject Access Request)** - you have the right under the Data Protection Act 2018 (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, please look at our [webpages on Requests for Information](#).

- 2. Right to be informed** – as detailed through this Privacy Notice.

3. **Right to rectification** – you have the right to have personal data rectified if it is inaccurate or incomplete.
4. **Right to erasure** – depending on the legal basis for processing your information, you could have the right to have personal data erased.
5. **Right to restrict processing** – depending on the legal basis for processing your information, you have the right to reduce or stop the processing of your data.
6. **Right to data portability** – depending on the legal basis for processing your information, you have the right to obtain and reuse any electronic data we hold about you.
7. **Right to object to processing** – where processing your personal information is required for the performance of a public interest task (see above), you have the right to object.

Who Can I Complain To If I Am Unhappy About How My Data Is Used?

If you are not satisfied with how your request has been dealt with, or if the information held about you is incorrect, you should email or write to Warrington Borough Council outlining your concerns.

If you then wish to make a complaint then please contact us using one of the methods below: Use the [online complaints form](#).

- Email us at contact@warrington.gov.uk
- Phone us on: 01925 443322
- Write to us at: Warrington Borough Council, East Annexe, Town Hall, Sankey Street, Warrington, WA1 1UH

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: 0303 123 1113
Website: <https://ico.org.uk/>

Will This Information Be Used To Take Automated Decisions About Me?

No, the Council's Adult Social Care service does not make automated decisions about you.

Will My Data Be Transferred Abroad and Why?

The Council does not routinely transfer your information abroad, but in certain circumstances we could need to. For example, sending information to family members who may live in another country.