

Privacy Notice: Durham County Council Adult and Health Services

This Privacy Notice tells you what information we collect about you, how we use that information and who we share it with. We take your privacy very seriously. Please read this privacy notice carefully as it contains important information on who we are and how and why we collect, store, use and share your personal data. It also explains your rights in relation to your personal data and how to contact us.

This Privacy Notice explains how we use and share information for Adults and Carers for whom we provide care and support to as well as those that self-fund their care or are placed by another Local Authority or NHS Commissioner in County Durham (please see separate Privacy Notice for integrated Learning Disability and Mental Health Services)

1. Who we are and what we do

Adult and Health Services provides adult social care services for the most vulnerable people in our community. For further information about services available please ask your worker or see the [Durham County Council website](#).

This Privacy Notice explains how we use and share information for Adults and Carers for whom we provide care and support (please see separate Privacy Notice for integrated Learning Disability and Mental Health Services)

For the purposes of Data Protection, Durham County Council is the Data Controller for your information.

2. What type of personal information do we collect and how do we collect it?

In order to provide you with high quality services which are relevant to your needs, Adult and Health Services will collect and hold information about you. This may include:

- Basic details such as your name, address, date of birth, NHS number
- Personal demographics (including gender)
- Relationship information such as next of kin
- Relevant case information such as how you manage both in and outside the home on a day to day basis
- Support required and assistance received from family and friends
- Information about carers, relatives, next of kin
- Information about how you make decisions
- Information relating to risks
- Information from other professionals involved in your care e.g. your General Practitioner
- Financial information such as income and details of property ownership.

We collect the following special category data:

- Health information such as details of medical conditions and mental health and wellbeing
- Sensory and communication needs
- Ethnic Origin
- Religion

We collect information about you in the following ways:

- Face to face
- Using assessment tools
- By secure email from those involved in your care
- By post
- By telephone
- From other professionals
- Using Online Forms

3. What is our lawful basis to obtain and use your personal information?

To enable us to provide services to you, it may be necessary for us to share your personal information with others. To do so we will use the following legal basis for sharing your information:

- Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller

For special category data which is more sensitive information, we rely on the following:

- Health and Social Care - we use it for the provision of health or social care or treatment or the management of health or social care systems and services

4. What is your personal information used for?

Durham County Council holds information about Adult and Health Services service users and carers in order to:

- Understand any needs you may have for personal care and support,
- Provide you with relevant advice and information
- Provide services or arrange for others to provide services to meet your eligible assessed needs
- Provide services to members of your family or people with whom you have an important relationship
- Understand if you or others are at risk of abuse and take appropriate action.
- Carry out financial assessments for care services received
- Review the quality of care you are receiving
- Help investigate any worries or complaints you have about your care

Use of your NHS Number in Adult Social Care

If you are receiving support from Adult and Health Services (AHS) then the NHS may share your NHS number with Adult Social Care.

This is so that the NHS and AHS are using the same number to identify you whilst providing your care. By using the same number the NHS and AHS can work together more closely to provide your care and support services.

We will use this Number when sharing information with health colleagues including GP's, hospitals, community matrons, district nurses and social care practitioners.

If you wish to opt-out from the use of your NHS Number for social care purposes, please talk with your social worker, or email dataprotection@durham.gov.uk

5. Will your personal information be shared?

We may share your information with the NHS, with General Practitioners, and with authorised partner organisations, in order to make sure you receive the appropriate care and support services for your needs and to make sure those involved in your direct care have accurate up to date information to help them provide the best possible services to you.

We will share information to provide health and social; care professionals directly involved in your care access to the most up to date information about you,

In some cases, such as for the prevention and detection of crime or for safeguarding purposes, we are legally obliged to share information with other agencies e.g. such as the police.

Great North Care Record

Durham County Council Adult Social Care is now a partner in the Great North Care Record (GNCR), and is now required to request and share your information from and with other relevant parties who are part of your care provision and ongoing support. This includes NHS Providers (such as General Practitioners, Acute Health Providers, Ambulance Services and Mental Health Care Providers) and adult social care.

Full details of the member organisations of the GNCR, what data may be viewed across the GNCR network, and what are the benefits to being part of the GNCR are available from the GNCR website – <https://www.greatnorthcarerecord.org.uk/>

If you wish to [opt-out](#) of your data being shared via the GNCR, or you wish to speak to someone about this use of your data you can contact the GNCR helpline on 0344 811 9587. Please note that this will only prevent your information being shared via the GNCR and will not opt you out of sharing with those organisations who are currently providing you with your care, or may provide it in the future. Your consent is not required to do this as it is necessary to ensure you receive the safest and highest quality of care and treatment.

Exclusion from the GNCR may have a detrimental effect on the service we can provide to you. We will always seek to comply with your request, but in some circumstances there may be additional reasons where the sharing of your

information may be necessary, for example a Court Order or where information is required to be shared should there be a concern that yourself or others are at risk of harm.

6. How do we keep your information secure?

The security of your personal information is important to us. The records we keep about you are secure and are confidential within the Council. The Council have a range of procedures, policies and systems to ensure that access to your records are controlled appropriately.

Anyone who receives information from us is also under a legal duty to only use the information for the purposes agreed and keep the information secure and confidential.

7. How long will we keep your personal information?

After we deliver a service to you, we have to keep your information as a business record of what was delivered. The type of service you receive will determine how long we have to keep your information. Our [corporate retention guidelines](#) show how long we keep information for different services. Your records will be retained in accordance with Durham County Councils records retention schedule for Adult and Health Services as follows:

- Adult and Health Services case records - 20 years from date of case closure or 8 years after death
- General enquiries to Social Care Direct resulting in information/advice – 10 years from date of enquiry
- Safeguarding concern regarding an individual who is otherwise unknown to social care – 8 years after last incident or case closure (whichever is later)
- In-house provider service user case file – 8 years from date of case closure

8. Personal information processed outside of the European Union (EU)

We do not process your personal data outside of the EU

9. Marketing

At no time will your information be used or passed to others for marketing or sales purposes, or for any commercial use without your express consent.

10. What are your information rights?

Your Information Rights are set out in the law. Subject to some legal exceptions, you have the right to:

- request a copy of the personal information the council holds about you
- have any inaccuracies corrected;
- have your personal data erased;
- place a restriction on our processing of your data;
- object to processing;

To exercise your rights, you can apply on line or download an application form from the [DCC website](#) or you can contact the data protection team at inforights@durham.gov.uk

To learn more about these rights please see the [ICO website](#).

National Data Opt-Out

The national data opt-out programme applies to confidential patient data that originates within the health and adult social care system. The programme enables you to choose whether your confidential patient data is used for research and planning purposes such as:

- for improving the quality and standards of care provided
- research into the development for new services
- preventing illness and diseases
- monitoring safety
- planning services

If you are happy for your data to be used for research and planning purposes you do not need to do anything. To find out more, or to register your choice to opt out, please visit www.nhs.uk/your-nhs-data-matters and view the [NHS mythbusters](#) before you decide.

Durham County Council is compliant with the national data opt-out policy.

11. Further Information

Our Data Protection Officer (DPO) provides help and guidance to make sure we apply the best standards to protecting your personal information. If something goes wrong with your personal information, or you have questions about how we process your data, please contact our Data Protection Officer at DPO@durham.gov.uk or write to:

DPO
Floor 4 Room 143-148,
Durham County Council
County Hall,
Durham County Council
DH1 5UF

If we have not been able to deal with your query, you can also contact the Information Commissioner's Office:

Information Commissioner's Office
Wycliffe House
Water Lane Wilmslow
Cheshire
SK9 5AF
Telephone: 0303 123 1113 (local rate) or 01625 545 745